THE

ASIATIC JOURNAL

FOR

MAY 1816.

ORIGINAL COMMUNICATIONS.

To the Editor of the Asiatic Journal.

SIR,—Whatever difference of opinion may exist as to the expediency of encouraging European missionaries of every persuasion, unacquainted with either the language, the customs, the nature of the religion, or even the astronomy of the Asiatics, to resort to British India, for the purpose of abolishing or subverting the religious rites of Brama, yet no persons can surely object to the promulgation of the Christian religion as practised by the unremitting assiduity, exemplary conduct and indefatigable attention of the learned, pious and industrious society of missionaries at Serampore in Bengal, who have already translated the sacred scriptures into twenty-four different languages, and have ready for the press four other vernacular translations, which could only be effected by men of established abilities, who, by a laudable devotion of the energies of mind, heart and time to the sacred cause, have already sown the good seed, which cannot fail eventually of producing abundant fruit to the benefit of true religion, as well as the cause of morality, industry, and virtue.

An untravelled Englishman is not generally aware that a missionary in Hindustan without an intimate acquaintance with the languages of Asia, both sacred and colloquial, is somewhat the same as a carpenter without tools, and it is to this ignorance alone, that the late highly respectable Dr. C. Buchanan, and Mr. Martyn, the senior wrangler at Cambridge, were so easily imposed upon by the notorious swindler Sabat, (compared by the former in his Christian Researches to St. Paul,) who has recently published a book in Calcutta, declaring that he only became a Christian to serve his own private viwes, and to shew the fallacy of the Christian religion.

It cannot be denied that considerable difficulty of opinion does exist as to the points to start from, in the general introduction of the Christian religion throughout British India. Very many persons consider it as feasible to induce the self-sufficient Brahmin or Pundit (a learned theologian) to conform to the Christian doctrine as the unenlightened Hottentot, while the present Bishop of Calcutta, the learned missionaries of Serampore, and the ever to be remembered

Swartz, incline to the opinion that the Christian character for morarility, temperance and attention to religious duties, should be raised as an example to others, before an attempt is made to subvert the foundations of a religion, which, however polluted by the artifices of Brahmanical priestcraft, is certainly nearly the same among the better informed, as when Alexander the Great attempted the invasion of India before the Christian Æra.

On Christmas day 1814, the congregation in the Cathedral at Calcutta consisted of a bove three thousand persons. The learned Bishop, by his precept and example, has already effected a material change for the better, in the morality of the higher classes of the society in India, while the missionaries, aided by the liberal subscriptions of the European inhabitants, have established schools at the different settlements for the purpose of civilizing the native christians, by teaching them to read the sacred scriptures in their own language as well as English, which was never attempted until lately, although practised by all other classes of heathens to inculcate their own religious tenets from time immemorial.

The East India Company are greatly indebted to the learned missionary, Dr. Carey, for many most valuable Treatises on the religion, customs, and jurisprudence of the Brahmanical system; and, by your last number, I see that Mr. Ward has committed to the press at Serampore, a much desired work, explanatory of the Hindu religion, whereby we shall be relieved from the puerile tales of Jaganath going to his country house, &c. which, in gleanings from Asiatic researches, is stated to be symbolical of the entrance of the sun into the summer solstice, and that the religion of Hindustan is founded on the basis of siderial worship, as was practised even in this country, before the introduction of our most sacred scriptures, which certainly contain the most pure sublimity, beauty, and morality, independent of their divine origin, of any book that was ever composed.

Moderation.

To the Editor of the Asiatic Journal.

Sir,—In reply to Clericus, I beg to state to you, that independently of what provision has been made by the law appointing a Bishop of Calcutta, and regulating his privileges, he is by his *consecration, a Bishop*, as long as he lives. If circumstances should oblige him to remove from his see, he still would be Bishop of Calcutta, till he resigned his see, or was removed, and another bishop appointed.

If he came to England, he would rank as to precedence, above all the English clergy, but below the bishops of the three kingdoms.

But as a bishop he would have a right to ordain *priests* and *deacons*, and to administer *confirmation*.

During his absence from Calcutta, India would be deprived of the advantage of these two rites, as they can only be performed by persons of the Episcopal order. But some other of his Episcopal functions might be delegated to his archdeacons, chancellor, or commissaries acting in his behalf, and under his authority; such as the superintending the conduct of the clergy, by visitations, &c.

The uncertainty of preserving health in the climate of India, would make it a very desirable object to have a Bishop in each presidency, and an archbishop over the whole; as by that provision Bishops might be consecrated in

India as vacancies occurred: and the probable increase of Christianity will make such a provision indispensable.

But even at present I do not know but that the Bishop of Calcutta may be qualified to consecrate Bishops to assist him as suffragan or to supply his place during his absence.

It is also worth observing, that the Bishop of Calcutta is capable of being translated to any see in England or Ireland, the same as any Bishop of the United Kingdom.

These privileges are grounded upon the supposition that the Bishops are the successors of the apostles, appointed by them to their function, with the right of communicating their powers to those they ordain; so that the Episcopal order may be preserved in a regular and perpetual succession.

I am, &c.

ECCLESIASTICUS.

To the Editor of the Asiatic Journal.

SIR,—It would gratify many of your readers, connected with India, to be informed, what are the arrangements between the Hon. Company and the Post Office relative to the transmission of letters to and from India; viz. whether *all* ships are allowed to take, and carry letters, or whether as the commercial lists state, the conveyance is limited to those vessels called "Letter Mail Ships." This enquiry is excited by a grievous and unaccountable misconduct either abroad or at home; and if through the channel of your interesting and entertaining miscellany, information herein could be had, you would much oblige your readers in general, and especially,

Your constant one, viz.

B. W. S.

Yarmouth, Norfolk,
April 11th, 1816.

To the Editor of the Asiatic Journal.

SIR,—I have heard at various times of the princely magnificence, &c. &c. &c. of the present Governor General of India, and the large establishment of his household. A military friend, however, lately arrived from Calcutta, has shown me an actual list, a copy of which I subjoin, and which perhaps, will disappoint the magnificent ideas that I have reason to believe, are afloat on the subject. It is not in my power to say, whether the whole of the establishment as here given, is paid from the company's purse, or whether an exception is made in regard to the lady's maid, the children's, and the room-maidens, &c. &c. As the Countess of Loudon and Moira is coming home, even this establishment may be reduced:

Household of the Right Hon. the Governor General.

Chamberlain	Sir Wm. Rumbold.
Private Secretary and Comptroller to the household.	John Thompson, Esq.
Governess	Mrs. Rainsford.
Pages to the Countess of Loudon and Moira.	Master Chas. Marcehaux.—Master Laprimaudaye.
Lady's Maid	Mrs. Hooper.
Children's Maid	Mrs. Harrowey.
Room Maid	Mrs. Margt. Lilley.
Valet	Wm. Brodie.
Confectioner	Thomas Gunter.
Footman to Lord Hungerford.	Alex. Robinson.
Coachman	John Burr.
Groom	G. Simson.

By the way, I have heard that his Lordship has a private Secretary in addition to Mr. Thompson; and you will remark, that there is neither physician or chaplain in the list. For my part, I suspect the said list is given out merely to blind folks on this side of the Atlantic.

Yours,

GATHERER.

For the Asiatic Journal.

A BIOGRAPHICAL MEMOIR

Of the late Alexander Dalrymple, Esq. formerly Hydrographer to the Admiralty.

ALEXANDER DALRYMPLE, the subject of this memoir, was born on the 24th of July, 1737, at New Hailes, near Edinburgh. He was the seventh son of Sir James Dalrymple, Bart. Auditor of the Exchequer, by Lady Christian, daughter of the Earl of Hadington, a lady of most excellent character, and the mother of sixteen children. Of these, the eldest, Sir David Dalrymple, became one of the Lords of Session, by the title of Lord Hailes, and distinguished himself in the literary world by many excellent and useful writings. James attained the rank of lieutenant-colonel in the army; Hugh died a captain in the royal navy; and John was repeatedly Lord Provost of Edinburgh. Alexander early conceived a desire to go to the East-Indies, and, in November 1752, through the interest of a relation, he was appointed a writer in the Company's service, and stationed on the Madras establishment.

Young Dalrymple was deficient in the common school acquirements. On the prospect of obtaining a writership, he had been put to learn writing and accounts, but he had made only a small progress in either before he was called upon to leave England. At Madras, where he arrived on the 11th of May, 1753, his affairs, for a time, did not appear to be prosperous. The secretary's office, which was the only school where a general knowledge of the Company's concerns was to be learned, required better penmanship than Mr. Dalrymple could produce He was in consequence put under the storekeeper, where nothing worth learning was to be learned, and where he was secluded from the notice of persons in superior stations, and therefore from any chance of advancement.

One of his letters of recommendation, however, procured him the liberal and even fatherly patronage of Lord Pigot, who succeeded, in 1754, to the government of Madras; and it is to be presumed that our adventurer must have had qualities of mind and manners which supplied the place of other advantages. Lord Pigot himself taught him to write; Mr. Orme, the historian, taught him accounts; he was now put into the secretary's office, and indulged with access to Mr. Orme's library.

A little time only elapsed, before Mr. Dalrymple discovered in all its strength that superiority of mind which had sustained him under his accidental disadvantages. While examining old records for the purpose of qualifying himself for the office of secretary, he discovered that the commerce of the Eastern Islands was an object of great consideration with the Company; and this immediately became the fixed object of his study.

Favourable circumstances afterward occurring, of which, however, only his faculties and application enabled him to profit, he seized the opportunity to propose to Governor Lord Pigot his first step for the recovery of the commerce mentioned, and in consequence received permission to make a voyage of observation to the Eastward. The interesting particulars of Mr. Dalrymple's exertions for opening the commerce he had in view are necessarily omitted in this brief memoir. It was at the commencement of this pursuit that he was led into nautical studies, in which his first instructor was the Hon. Mr. Howe. In 1762, he was appointed captain of the London packet, and sent with a cargo to Sooloo. In this voyage, he obtained for the East-India Company a grant of the island of Balambangan, of which he took possession on the 23d of January 1763. The history of Mr. Dalrymple's commercial transactions with the Eastern Islands would form an interesting volume of itself. In 1771, Mr. Dalrymple published his pamphlet entitled, "A Plan for extending "the Commerce," &c. and shortly afterward the first suggestion arose of an office for hydrography in England, and of Mr. Dalrymple's appointment to fill it. A Hydrographer to the Admiralty was now first proposed; and the following account is given of the occasion.

Mr. Dalrymple had agreed to accompany his friend, the Hon. Thomas Howe, to the Downs, on board the Nottingham Indiaman, of which he had got the command after the loss of the Winchelsea in Bengal River. In the passage from Gravesend, Lord Howe accompanied his brother and Mr. Dalrymple; and it being observed in conversation, what a loss and shame it was, that there should be no Hydrographical Office established in this country, Mr. Howe asked Mr. Dalrymple if he should like such an office. Mr. Dalrymple replied, if he did not go back to India, he should like it very much. Some time after, Lord Howe called on Mr. Dalrymple, who happened to be from home; but meeting in the street a few days after, he informed him, that in consequence of what had passed with his brother, he had urged Lord Egmont to establish such an office, and had informed his Lordship that there was a very proper person in his eye, whom he would name if such an establishment took place. Lord Howe said, he had called on Mr. Dalrymple, to say, that Lord Egmont had recently informed him his Majesty had been pleased to approve of the office, and promised to assign 500l. per annum for that purpose.

Mr. Dalrymple having communicated to Earl Shelburne, then Secretary of State, his collection of South Sea Voyages, when it was proposed to send persons to observe the Transit of Venus, in 1762, he was thought of as a proper person to be employed on that service, and for prosecuting discoveries in that quarter. Mr. Dalrymple accordingly accompanied the Surveyor of the Navy to examine two vessels which were thought fit for the purpose, and by his judgment one was purchased. But the command of her ultimately passed to another. Admiral Hawke, then at the head of the Admiralty, was persuaded that he would be liable to parliamentary impeachment if he employed any but a naval officer, and the objection of Mr. Dalrymple to undertake the voyage in any other capacity than as chief, being insurmountable, the engagement on his part was decidedly terminated.

In June, 1769, ten years after his first quitting his civil station at Madras, to promote the Company's interest by an extension of their trade to the Eastern Islands, he was presented by the Court of

Directors with the sum of £5,000, as an equivalent for the emoluments he had relinquished as Secretary at Madras.

About the same time, Mr. Dalrymple was appointed to the government of Balambangan, measures having been resolved on by the Company to effect a settlement there; and the Britannia was ordered to be fitted out for that purpose, under the command of Mr. Dalrymple; but a difference with the Directors annulled this appointment also; and another gentleman proceeded thither.

The conduct of this gentleman however was not satisfactory; and, in the year 1774, the Court of Directors determined on sending thither a supervisor. Mr. Dalrymple now again offered his services, on condition that after every expense that had occurred under his management, including the exploring voyage, should have been reimbursed, a small portion of the clear profits (but how small does not appear) of the establishment should be granted to him and his heirs, Mr. Dalrymple engaging that the expences of the establishment should not exceed 10,000*l*. per annum. This proposal was referred to a Committee, and ultimately rejected. The settlement was soon after cut off by a set of freebooters from Sooloo; but as this was effected without bloodshed, imputations of neglect and mismanagement have been made, and considered as the real causes of failure, where an opposite course of administration would have insured the stability of the settlement, at a cost less than the amount paid for port charges at Canton, for two years.

The judgment of every projector, says one of the biographers of this gentleman, is naturally biassed by his sanguine expectations of success, and his expectations are formed on the presumed sagacity of his own contrivance. Whether the failure was really the consequence of mal-administration, or whether the Company, finding the profits of the concern inadequate to the expence, connived at its relinquishment—no attempt was made to re-establish it—and therefore the latter supposition is the more presumable. Mr. Dalrymple's undertaking seems to have been but a revived project, and as the pursuit of profit is rarely relaxed so long as it is found to be a profitable pursuit, it may fairly be inferred that the commerce of the Eastern Islands was more promising in prospect than gainful in possession.

But while busied in the consideration and prosecution of his darling scheme, his hydrographical pursuits necessary to the due execution of it went on with so much ardour, industry, and accuracy, that he was encouraged by the Court of Directors to publish various charts, &c. and to his chart of the northern part of the Bay of Bengal, published in 1772, it is affirmed that the India Company was indebted for the safety of the Hawke Indiaman, which would otherwise have fallen into the hands of the French.

Mr. Dalrymple's zeal for the Company's interest had led him from his post at Madras, but he nevertheless conceived his claim on that establishment still valid; and on the appointment of Lord Pigot, in 1775, to the government of Fort St. George, he was advised by the then Chairman and Deputy Chairman to make a specific application before the arrangement of the Madras Council was completed. On the 3d of March, 1775, Mr. Dalrymple, in consequence of this advice, preferred his claim, and requested to be restored to his standing. This request was complied with, and he was appointed in his rank a Member of Council, and nominated one of the Committee of Circuit.

In pursuance of this appoint-

ment, Mr. Dalrymple returned to Madras, where he remained until 1777, when he was ordered home with Messrs. Stone and Latham, to have their conduct inquired into. Nothing appeared against it, and on the 8th of April, 1779, he was appointed Hydrographer to the East-India Company, with a condition that it should not invalidate his pretentions at Madras.

In 1795, the establishment of an hydrographical office at the Admiralty was again taken into consideration, and a memorial to his Majesty in Council was presented by the Lords Commissioners, recommending the measure, which was graciously approved. The appointment was now offered to Mr. Dalrymple, by whom, with the consent of the Court of Directors, it was accepted.

Under the direction of Mr. Dalrymple, the purposes of the institution were fully effected, to the extent of the plan laid down. Many plates were engraved toward forming a complete collection of charts for the use of the royal navy; and several memorials were presented by him, suggesting measures of improvement. But whether by his public zeal he gave any private disgust, or whatever may have been the cause, Mr. Dalrymple was, on the 28th of May, 1808, dismissed from his employment as Hydrographer to the British Navy, and on the 19th of June following died broken hearted, in the 71st year of his age. At least in the opinion of his physician, the vexation of his dismissal was the cause of his death.

Catalogue of printed Books and Tracts, by the late Alexander Dalrymple.

Those marked were never published.—Those marked† not sold.*

(1.) Account of Discoveries in the South Pacific Ocean before 1764. 8vo. 1767.

(2.) † Memorial to the Proprietors of East India Stock. 8vo. 1768.

(3.) † Account of what has passed between the East India Directors and Alexander Dalrymple, as first printed. 8vo. 1768.

(4.) Account of what has passed—Do. —Do.—as published. 8vo. N. B. It is dated 1769, by a ridiculous custom of printers, to date publications, printed towards the close of the year, as if in the year ensuing.

(5) Plan for extending the Commerce of this Kingdom, and of the East India Company, by an Establishment at Balambangan.—N. B. Although printed in 1769, it was not published till 1771.

(6) * Letter concerning the proposed Supervisors. 20th June, 1769. 8vo.

(7) Letter concerning the proposed Supervisors. 30th June. P. S. 3d July, 1769. 4to. 1769.

(8) Second Letter—Do.—10th July, 1769. 4to. 1769.

(9) Vox Populi Vox Dei, Lord Weymouth's Appeal to the General Court of India Proprietors considered, 14th August. P. S. 19th August, 1769. 4to. 1769.

(10) Historical Collection of South Sea Voyages. 2 vols. 4to. 1770. 4to. 1771.

(11) † Proposition of a benevolent Voyage to introduce Corn, &c. into New Zealand, &c. 4to. 1771.

(12) Considerations on a Pamphlet (by Gov. Johnstone), entitled, "Thoughts on our Acquisitions in the East Indies, particularly respecting Bengal." 8vo. 1772.

(13) General View of the East India Company's Affairs (written in January, 1769), to which are added some Observations on the present State of the Company's Affairs. 8vo. 1772.

(14) † A Paper concerning the General Government for India. 8vo.

(15) † Rights of the East India Company.—N. B. This was printed at the Company's expense. 8vo. 1773.

(16) Letter to Dr. Hawkesworth. 4to. 1773.

(17) * Observations on Dr. Hawkesworth's Preface to 2d edition. 4to. 1773. An Opinion of Sir David Dalrymple, that there was too much asperity in this Reply, retarded, and the death of Dr. Hawkesworth, prevented the publication.

(18) † Memorial of Doctor Juan Louis Arias (in Spanish). 4to. 1773.

(19) † Proposition for printing, by subscription, the MS. Voyages and Travels in the British Museum. 4to. 1773.

(20) A full and clear Proof that the Spaniards have no Right to Balambangan. 8vo. 1774.

(21) An Historical Relation of the several Expeditions, from Fort Marlbro' to the Islands off the West Coast of Sumatra. 4to. 1775.

(22) Collection of Voyages, chiefly in the South Atlantic Ocean, from the ori-

ginal MSS. by Dr. Halley, M. Bouvet, &c. with a Preface concerning a Voyage on Discovery, proposed to be undertaken by Alexander Dalrymple at his own Expense; Letters to Lord North on the Subject, and Plan of Republican Colony. 4to. 1775.

(23) † Copies of Papers relative to the Restoration of the King of Tanjour, the Imprisonment of Lord Pigot, &c. Printed by the East India Company, for the use of the Proprietors. 4to. 1777.—N. B. In this Collection are many Minutes of Council, and some Letters by Alexander Dalrymple.

(24) † Several other pieces on the same Subject, written by Alexander Dalrymple, were printed by Admiral Pigot and Alexander Dalrymple, but not sold; those particularly by Alexander Dalrymple are 4to. 1777.

(25) Notes on Lord Pigot's Narrative.

(26) Letter to Proprietors of East India Stock. 8th May 1777.

(27) Account of the Transactions concerning the Revolt at Madras. 30th April, 1777. Appendix.

(28) Letter to the Court of Directors. 19th June, 1777.—Memorial—19th June, 1777.

(29) † Account of the Subversion of the Legal Government of Fort St. George, in Answer to Mr. Andrew Stuart's Letter to the Court of Directors. 4to. 1778.

(30) Journal of the Grenville, published in the Philosophical Transactions. 4to. 1778.

(31) Considerations on the present State of Affairs between England and America. 8vo. 1778.

(32) Considerations on the East India Bill, 1769. 8vo. 1778.

(33) State of the East India Company, and Sketch of an Equitable Agreement. 8vo. 1780.

(34) Account of the Loss of the Grosvenor. 8vo. 1783.

(35) Reflections on the present State of the East India Company. 8vo. 1783.

(36) A Short Account of the Gentoo Mode of collecting the Revenues on the Coast of Coromandel. 8vo. 1783.

(37) A Retrospective View of the Antient System of the East India Company, with a Plan of Regulation. 8vo. 1784.

(38) Postcript to Mr. Dalrymple's Account of the Gentoo Mode of collecting the Revenues on the Coast of Coromandel; being,—Observations made on a Perusal of it by Moodo Kistna. 8vo. 1785.

(39) Extracts from Juvenilia, or Poems, by George Wither. 24mo. 1785.

(40) Fair State of the Case, between the East India Company and the Owners of Ships now in their Service, to which are added, Considerations on Mr. Brough's Pamphlet, concerning East India Shipping. 8vo. 1786.

(41) A serious Admonition to the Public, on the intended Thief Colony at Botany Bay, printed for Sewell, Cornhill.

(42) Review of the Contest concerning Four New Regiments, graciously offered by his Majesty to be sent to India, &c. 8vo. 1788.

(43) * Plan for promoting the Fur Trade, and securing it to this Country, by uniting the Operations of the East India and Hudson's Bay Companies. 4to. 1789.

(44) * Memoir of a Map of the Lands around the North Pole. 4to. 1789.

(45) An Historical Journal of the Expeditions by Sea and Land, to the North of California, in 1768, 1769, and 1770, when Spanish Establishments were first made at San Diego and Monterey, translated from the Spanish MS. by William Revely, Esq. to which is added—Translation of Cabrera Bueno's Description of the Coast of California, and an Extract from the MS. Journal of M. Sauvague le Muet, 1714. 4to. 1790.

(46) A Letter to a Friend on the Test Act. 8vo. 1790.

(47) The Spanish Pretensions fairly discussed. 8vo. 1790.

(48) The Spanish Memorial of 4th June considered. 8vo. 1790.

(49) † Plan for the Publication of a Repertory of Oriental Information. 4to. 1790.

(50) * Memorial of Alexander Dalrymple. 8vo. 1791.

(51) Parliamentary Reform, as it is called, *improper*, in the present State of this Country. 8vo. 1793.

(52) Mr. Fox's Letter to his Worthy and Independent Electors of Westminster, fully considered. 8vo. 1793. Printed for Stockdale, Piccadilly.

(53) † Observations on the Copper Coinage wanted for the Circars. Printed for the Use of the East India Company. 8vo. 1794.

(54) The Poor Man's Friend. 8vo. 1795.

(55) A Collection of English Songs, with an Appendix of Original Pieces. 8vo. 1796.

(56) * A Fragment on the India Trade, written in 1791. 8vo. 1797.

(57) Thoughts of an old Man of independent Mind, though dependent Fortune. 8vo. 1800. Printed for Reynolds, Oxford-street.

(58) Oriental Repertory, Vol. 1st. 4to. April 1791 to January 1793.

(59) Oriental Repertory. Vol. 2d. 4to. (not completed.)

N.B. There are some other pieces printed by Mr. Dalrymple, which from want of a copy to refer to, cannot be particularized; especially a Treatise of Practical Navigation.

AN ACCOUNT OF THE WAR IN NIPAL;

Contained in a Letter from an Officer on the Staff of the Bengal Army.

You will no doubt have heard much of the war with Nipal, and of the present condition of India. Every body here has been speculating and writing; but, from the secrecy observed in the foreign and political department, but little transpires with respect to our external relations, and even the progress of events is very imperfectly known to the public. My situation has necessarily enabled me to be better informed, and you may rely on the accuracy of the following statement in as far as it goes.

Our quarrel with the Nipalese was no new matter. For a series of years they had been making encroachments on the British dominions, which, not being vigorously resisted at first, encouraged a continuance of the evil. At length a remonstrance was made to the court of Catmandoo on the subject, and commissioners were appointed on the part of both states, to examine jointly the pretended rights of the Nipalese to the lands which they had acquired.

The result of this inquiry was a complete refutation of all their pretensions, and the production of the most satisfactory evidence of the artifice and violence by which their acquisitions had been obtained; but notwithstanding this public exposure of their total want of *right*, they continued to evade, on various pretences, the demands of the British government for restitution.

It was far, however, from the wish of the British government to engage in a war with Nipal, if this extremity could have been avoided; and these measures of forbearance and conciliation were even carried to the utmost extent, compatible with the dignity of the English empire.

In the course of these investigations it appeared that the Nipalese had occupied, about 25 years ago, a considerable tract of the country which has since been ceded to the company by the *Newab of Oude*, and to which they had no better claim than they had to any other portion of the territory which they had seized. As this aggression, however, had not been made directly on the dominions of the honourable company, it appeared possible to have it in their hands without injury to the credit of the British government, and it was therefore proposed to relinquish our right to it in their favour, on condition that they should peaceably restore the lands which they had usurped on the English territory. To this proposition a reply was received, expressed in their usual terms of deceit and evasion, and it was found necessary to inform them, that we should insist on the resumption of this country, as well as of all the tracts which they had acquired by direct aggression on the company's dominions. In the mean time it was known that they were preparing for war; that they had for some time been laying up large stores of saltpetre; purchasing and fabricating arms, and organizing and disciplining their troops under some European deserters in this service, after the model of the companies of our sepoy battalions.

Under these circumstances, perceiving that there was no end to the evasions; that every effort at accommodation served only to augment their pretensions and their arrogance; and that longer delay would only render a contest more arduous than was now obviously inevitable, it was deemed indispensable by the British general to bring the question to immediate issue; and a portion of country in Goruckpore, in which they had seized upwards of thirty villages during the very progress of their discussions, was selected as a fit object to decide the point. Ample time was allowed for the progress of a messenger from Calcutta to Catmandoo; for deliberation and decision on the subject there; and for the dispatch and execution of orders by the Nipalese authorities established in the territories in question; and they were distinctly informed, that if, at the conclusion of a specified period, determined by these considerations, this portion of country was not relinquished, the officers of the honourable company should be replaced by force. A body of troops adequate to the service was at the same time held in readiness, and orders to carry the above resolution into effect,

without reference to government, transmitted to the magistrate of Goruckpore.

At the conclusion of the appointed time no steps whatsoever had been taken by the Nipalese toward a compliance with this requisition, nor did they manifest the smallest symptom of any such intention. Accordingly Mr. Martin (the Judge) advanced with a small force under Lieut.-Colonel Richardson, and re-established the different *thannahs* ; the Nipalese authorities, with what troops they had, retiring on his approach. For some time things went on in tranquillity ; but when the troops had fallen back, to avoid the unhealthy season, which in that part of the country is particularly fatal to any race of men but the natives of the province itself, a Nipalese force descended from the hills ; surprized the thannahs in the night-time—murdered and wounded a large proportion of the officers, the rest making their escape by flight.

After all that had passed, an outrage of this sort might justly be considered as placing us at once in a state of actual war: but as no opposition had been made in the first instance to the establishment of the thannahs, it was considered just possible that the peaceable execution of that measure might have been owing to orders transmitted from Catmandoo, and that the subsequent attack was the unauthorized act of the local authorities on the frontiers; and the British government, anxious to avoid involving the country in hostilities to the last, made one more application to the Rajah, to give him the option of disavowing this piece of violence, and of punishing the offenders—an application that proved as unavailing as the rest.

It would be useless to add any comment to justify this war. It must be obvious to any person, that it was in the strictest sense of the words *necessary and unavoidable*, and that the forbearance of the British government was carried to the very uttermost extent to which it was right that it should go. The security of the inhabitants along the frontier had been destroyed—our territories usurped—our just demands, and our efforts at accommodation alike treated with contempt—the aggressions continued during the very progress of the discussions entered into by both states for the express purpose of investigating acts of the same unwarrantable violence—and finally, the British territory invaded by a military force, and the officers of the civil government murdered at their stations. If it is supposed in England, after all this, that it was not indispensably necessary to have recourse to arms to protect our subjects, to preserve the integrity of our dominions, and to vindicate the dignity of the government—the ignorance which prevails as to Indian affairs, and the nature of our empire in this country, is much greater than I ever conceived.

It is not necessary to detail to you the events of the war, as they are probably known to you through the medium of the newspapers. The plan of the operations originally projected was intended to bring it to a very speedy conclusion, and would doubtlessly have produced this result, had it been vigorously carried into execution. The territory subject to Nipal consists of a mountainous tract of country, lying between Tibet and the valley of the Ganges, in breadth not exceeding one hundred miles, but in length stretching nearly along the whole extent of the north-west frontier of the British dominions. Below the hills they held possession of a portion of the plain of irregular width, distinguished by the name of the Nipal Turrye,* but the period at which the acquisition was made is not ascertained.

The general military character of the country is that of extreme difficulty. Immediately at the front of the hills the plain is covered with the Great Saul Forest, for an average width of ten or twelve miles ; the masses of the mountains are immense, their sides steep, and covered with impenetrable jungle. The trenches in these ridges are generally water-courses, and rather chasms or gulfs than any thing that deserves the name of a valley. The roads are very insecure, and invariably pathways over mountains, or the beds of rivers, the usual means of transport throughout the country being by hill-porters. Notwithstanding this general description, spaces comparatively open and hollow, and elevated tracts of tolerably level land, are to be met with, but so completely detached as to contribute but little to facilitate intercourse.

One of the largest and most fertile of these constitutes the valley of Nipal Pro-

* See page 31.—*Edit.*

per*. To the westward of Nipal, there is a difficult tract, till the country again opens in the valley of Gorkah, the original possession of the present dynasty.— Westward of this the country is again difficult, till it somewhat improves in the district of Kemaoon. Further to the westward lies the valley of the Dhoon,† and the territory of Sue-na-Ghur; and further still, the more recent conquests, stretching to the village, in which Umar Sing, a chief of uncommon talents, commanded, and, indeed, exercised an authority almost independent.

This description, slight as it is, will be sufficient to show you that it was impossible to combine the movements of a variety of columns from different points, with a view to concentration, and to force the enemy to a decisive battle for the fate of the country, and that a body of troops, acting in any one quarter, would become perfectly unmanageable if it exceeded a certain extent, from the nature of the roads, the scarcity of routes, such as they were, the total impracticability of maintaining any communication between the different columns into which it must have been divided, and the scanty supplies which could be drawn from a country so little susceptible of cultivation.

At the same time the nature and form of his territory presented prodigious resources of defence to the enemy against any method of attack that should not aim at the immediate and simultaneous occupation of any point in which he could make a stand. It were to be apprehended, if the army succeded in forcing its way into the valley of Nipal, and in occupying the capital, that it would only transfer the war to the territory of Gorkah; that the dépôts would have to be transported to Catmandoo, for the prosecution of further operations, and that the whole of the mountains and impracticable regions by which these valleys are separated, would become the subject of serious and obstinate contention. The very same game might have been played afterward, with respect to the territory of Kemaoon, and to the westward, along the whole extent of their dominions—the enemy constantly falling back on fresh troops and fresh resources, drawing his supplies from the cultivated spaces, and disputing the difficult country by which they were divided. It is perfectly obvious that the very same objections would apply to a plan of operations directed in the first instance against the body of troops serving under Umar Sing, on the banks of the Sutleje, with a view of penetrating eastward to the capital. An army entering the country between these points might possibly have succeded in occupying some portion of territory, but would have been perfectly nugatory as to the result of the war. It must speedily have turned either to the right or to the left, and to whichever side it directed its operations, it must have left its rear, aud its communications with the Company's provinces, completely exposed to the enemy's troops remaining in the other, and upon every one of those suppositions, it would have been impossible to bring the war to an end, without several campaigns, an evil which it was indispensable to avoid.

These considerations determined the plan for the campaign, and it was proposed by a variety of operations undertaken at once, for the accomplishment indeed of separate objects, but these objects mutually facilitating each other, to wrest the country suddenly from them piecemeal. With this view, it was intended that the principal divisions of the army, under Major-General Marly, should move from Palna, on the capital, by the route of Etoude and Chusapanee, while a few, under Major-Gen. Sullivan Wood should penetrate into Gorkah by the route of Rootswild, and prevent the transfer of the war to the westward. The very same reasoning was applied in arranging the attack to be made on the troops serving in the western part of the enemy's dominions. A division under Colonel Ochterlony to advance from the Sutleje, was directed against the force under Umar Sing, and Major-General Gillespie, at the head of another, was to occupy the valley of the Dhoon and the territory of Sue-na-ghur, and cut off the communication with the capital and the resources to the eastward. As soon as these operations were sufficiently advanced, another column was to possess itself of Almorat and Kemaoon, and to open the routes between the different divisions.

* An oval, about 15 miles long, and 10 broad.

† See page 22.—*Edit.*

The chief circumstance to which the imperfect accomplishment of this plan is to be ascribed was the total and unaccountable inactivity of the principal division during the whole season. In consequence of this, Major-General Sullivan Wood was left to carry on his operations, destitute of the assistance which its co-operation would have afforded as a diversion to the troops in his front. His feeble and unfortunate attempt totally failed in effecting any thing, and the influence which this part of the plan, directed against the heart of the enemy's country and the seat of the government, were expected to produce in weakening or paralyzing their efforts to the westward, altogether lost. At the same time, the early and unexpected fall of the gallant and lamented Major-General Gillespie, before the fort of Kalunga, and some unfortunate circumstances among the troops of that division, threw a damp over the operations in that quarter, and greatly retarded the progress of the service.

In spite, however, of all those untoward events, the plan succeeded so perfectly in the only quarters where any efforts were made to carry it into effect, as fully to warrant the most confident expectation that it would have ensured the accomplishment of all its objects, had the divisions to the eastward been conducted with equal zeal and ability. Major-General Ochterlony, who had to contend with a country of great difficulty, and with an enemy, who, throughout the campaign, displayed a degree of energy, of genius, and of resource, unprecedented in a native leader, by a series of operations, combined with great address, and executed with a vigour and prudence, which ensured success, gradually forced him from post to post, and at length cooped him up, and compelled him to surrender in the almost inaccessible fortress of Malown. This success put us in possession of the more recent conquests of the Gorkahs between the Ganges and the Sutleje, and produced the immediate surrender of the fort of Jytuk, before which Major-General Martindel (who had been appointed to the command of Major-General Gillespie's division) had been long occupied, and with it the valley of the Dhoon, and the territory of Suena-Ghur.

In the mean time, the project of pushing a force into Almorat and Kemaoon, with a view of placing the different divisions in communication, and completing the occupation of the country, had acquired a greater degree of importance from the non-execution of the plan to the eastward, and had become a primary object of the campaign. A small force under Captain Hearny, had penetrated into this country, and was even reinforced and placed under the command of Lieutenant-Colonel Nicolls, who conducted his operations with equal activity and ability. He detached one party after Husty Aule, the enemy's leader (who was retiring with a division of the army to occupy the strong parts of the country), under Major Paton, who defeated and killed him, and with the other he carried, himself, by assault, the city and fort of Almorat, and terminated his short and brilliant campaign and the war in that quarter, by a convention with the Gorkah chiefs, which relinquished to us the possession of all the country to the westward of the Gograh.*

These successes will probably answer all the purposes which the war was intended to fulfil. It never was the intention to destroy either the existence or the independence of a state which is most usefully interposed between us and the dependencies of China; and they have lost at present at least as much territory as they are capable of sacrificing, consistently with the situation we wish them to occupy. The superiority of the British arms has been completely established, and perhaps a juster idea of the power and resources of a regular government conveyed to the natives by the actual progress of events, than they could have received from witnessing again an uninterrupted series of victory. They beheld with astonishment the steady progress of the war, in spite of difficulties and disasters, and the facility with which reverses were repaired, under which they themselves must have sunk. A man of considerable consequence said to me on one occasion, "Of what use is it to fight with the English—beaten, or successful, they are always conquerors!"

But, although the war has accomplished its political purposes, the merits of the original plan on which it was intend-

* See page 96.—*Edit.*

ed that the military operations should be ever directed, must not be judged by the degree of success with which they were attended. No attempt was made to carry into effect the most material part of the plan, by a vigorous movement on the capital; and this primary defect in the execution, completely deranged the whole scheme—the armies to the westward met with a far more vigorous opposition than they would otherwise have experienced, and it was only after they were reinforced that they were placed on a footing proportioned to a state of affairs that had not been anticipated.

Nevertheless, the plan had been so well calculated, with a reference to the nature and form of the enemy's country, that the divisions to the eastward, even in the state of inactivity in which they remained, operated in some measure by their inert weight; and, though they accomplished nothing themselves, they detained a large portion of the enemy's force in their front, and rendered the objects to the westward attainable.

For the Asiatic Journal.

A DISCOURSE

Delivered to the Literary and Scientific Society at Java, on the 10*th of September*, 1815,

BY THE HON. THOMAS STAMFORD RAFFLES, PRESIDENT.

(Concluded from Page 356.)

It was my intention in this place to have attempted some sketch of the interesting and peculiar features of the Javanese character, with reference to those admirable institutions which distinguish the constitution of society among this people; but I have already trespassed too long on your kindness—and there are two subjects which have recently attracted my particular attention, and which, on account of their novelty, I am desirous of bringing to your notice. During my late tour through the Eastern Districts, I visited the Teng'gar mountains, on which it had been represented to me that some remains of the former worship of Java were still to be found, and accident threw me on the shores of Bali, while attempting to reach Banyuwangi. The simplicity of the people who inhabit the Teng'gar mountains, and the fact of such remains being still in existence in Java, is entitled to record; and I am aware that whatever information I may be able to communicate respecting Bali, however imperfect, will be accepted.

Teng'gar Mountains.*

To the eastward of Surabaia and on the range of hills connected with Gunung Dasar, and laying partly in the District of Pasuraun and partly in that of Probolingo, known by the name of the Teng'gar mountains, we find the remnant of a people still following the Hindu worship, who merit attention not only on account of their being the depositaries of the last trace of that worship discovered at this day on Java, but as exhibiting a peculiar singularity and simplicity of character.

These people occupy about forty villages, scattered along this range of hills in the neighbourhood of the Sandy Sea, and are partly under Pasuruan and partly under Probolingo. The scite of the villages, as well as the construction of the houses is peculiar, and differs entirely from what is elsewhere observed in Java. The houses are not shaded by trees, but built on spacious open terraces, rising one above the other, each house occupying a terrace, and being in length from thirty to seventy, and even eighty feet. The door is invariably in one corner, at the opposite end of the building to that in which the fire-place is built. The building appears to be first constructed with the ordinary roof, but along the front, is an enclosed veranda or gallery of about eight feet broad, with a less inclined piche in the roof, formed of bamboos, which are so placed as to slide out, either for the admission of air, or to afford a channel for the smoke to escape, there

* See page 234.—*Edit.*

being otherwise no aperture, except a small opening, of about a foot square, at one end of the building, above the fire-place, and which is built of brick, and so highly venerated, that it is considered sacrilege for any stranger to pollute it by the touch. Across the upper part of the building, rafters are run across, so as to form a kind of attic story, in which they deposit their valuables and instruments of husbandry.

The head of the village takes the title of Petingi, as in the low lands, and he is generally assisted by a Kabayan; both elected by the people from their own village. There are four priests, who are here termed Dukuns, having charge of the sacred records.

These Dukuns, who are in general intelligent men, have no tradition of the time when they were first established on these hills; from what country they came or who intrusted them with the sacred books to the faith contained in which they still adhere. These latter, they state, were handed down to them by their fathers, their office being hereditary, and the sole duty required of them being to perform the *puja* according thereto, and again to hand them down in safety to their children. They consist of three compositions written on the Lontar-leaf, describing the origin of the world, the attributes of the Deity, and the forms of worship to be observed on different occasions. Copies were taken on the spot; and as the language does not essentially differ from the ordinary Javanese, I hope at an early period to place the Society in possession of translations. In the mean time some notices of their customs, and of the ceremonies performed at births, marriages, and funerals, may be interesting.

When a woman is delivered of her first child, the Dukun takes a leaf of the Alang Alang grass, and scraping the skin of the hands of the child and of the mother with it, as well as the ground, pronounces a short benediction.

When a marriage is agreed upon, the bride and bridegroom being brought before the Dukun within the house, in the first place, bow with respect towards the south—then to the fire-place—then to the earth, and lastly, on looking up to the upper story of the house, where the implements of husbandry are placed, perform the same ceremony. The parties then submissively bowing to the Dukun, he repeats a prayer commencing with the words, "*Hong! Gendogo Bromo ang'gas siwong'go nomo siwoho sany yang g'ni siro kang*, &c."* while the bride washes the feet of the bridegroom. This ceremony over, the friends and family of the parties make presents to each of creeses, buffaloes, implements of husbandry, &c. in return for which the bride and bridegroom respectfully present them with betel-leaf.

At the marriage feast which ensues, the Dukun repeats two *puja*, which will be found in the collection. The marriage is not consummated till the fifth day after the above ceremony—which delay is termed by the *undang mantu*. A similar delay is, in some cases, still observed by the Javanese in other parts of the island, under the term *undoh mantu*.

On the death of an inhabitant of Teng'gar, the corpse is lowered into the grave, the head been placed to the south (contrary to the direction observed by the Mahometans), and bamboos and planks are placed over, so as to prevent the earth from touching it. When the grave is closed, two posts are planted over the body, one perpendicular from the breast, the other from the lower part of the belly. Between these two a hollowed bamboo is inserted in the ground, into which, during seven successive days, they daily pour a vessel of pure water, placing beside the bamboo, two dishes also daily replenished with eatables. At the expiration of the seventh day, the feast of the dead is announced, and the relations and friends of the deceased assemble to be present at the ceremony and partake of the entertainment, which is conducted as follows.

An image of leaves, ornamented with variegated flowers, made to represent the human form, and of about a cubit high, is prepared and placed in a conspicuous place, and supported round the body by the clothes of the deceased. The Dukun then places in front of the garland an incense-pot, with burning ashes, and a

* These prayers will be found at length in the Transactions of the Society—the word *Hong*, used by the Javanese at the commencement of their invocations to the Deity, is doubtlessly the mystical *Om* of the Hindus.

vessel containing water, and repeats the two *puja* to fire and water; the former commencing with "*Hong Gendogo Bromo ang'gas siwong'go nomo siwoho,*" &c. and the latter with "*Hong, hong gong'go moho terto roto mejel saking hati,*" &c. burning *dupu* (incense) at stated periods during the former, and occasionally sprinkling the water over the feast during the repetition of the latter.

The clothes of the deceased are then divided among the relatives and friends; and, the garland burned, another *puja* commencing "*Hong! awigno mastu nomo sidam, hong! araning,*" &c. is then repeated, while the remains of the sacred water is sprinkled over the feast; after which the parties sit down to the enjoyment of it, invoking a blessing from the Almighty on themselves, their houses and their lands. Nothing more occurs until the expiration of a thousand days; when, if the memory of the deceased is beloved and cherished, the ceremony and feast are repeated: otherwise no further notice is taken.

On questioning them regarding the tenets of their religion, they replied that they believed in a *dewa*, who was all powerful; that the term by which the *dewa* was designated, was *Bumi Truko Sangyang Dewoto Bator;* and that the particulars of their worship were contained in the book called *Panglawa*, which they presented to me.

On being questioned regarding the *adat* against adultery, theft and other crimes, their reply was unanimous and ready; that crimes of the kind were unknown to them, and that consequently no punishment was fixed either by law or custom; that if a man did wrong the head of the village chid him for it, the reproach of which was always sufficient punishment for a man of Teng'gar. This account of their moral character is fully confirmed by the Regents of the districts under whose authority they are placed, and also by the Residents. They literally seem to be almost without crime. They are universally peaceable; interfere with no one; neither quarrel among themselves. It may be superfluous to add, that they are unacquainted with the vices of gaming and opium-smoking!

The aggregate population amounts to about twelve hundred souls. They occupy, without exception, the most beautiful, rich and romantic spots in Java. The thermometer, in their country, is frequently as low as 42°. The summits and slopes of the hills are covered with alpine firs, and the vegetation common to a European climate generally prevails.

Their language does not differ much from the Javanese of the present day, though more gutturally pronounced: in a comparison of about a hundred words of the vernacular Javanese, two only differed. They do not intermarry nor mix with the people of the low lands, priding themselves on their independence and purity in this respect.

BALI.

Passing from this last vestige of the Hindu worship now remaining in Java, (for the *Bedui*, though descendants of the fugitives of Pajajaran, scarcely merit notice in this respect,) I proceed to mention some of the leading observations which I made in Bali. The notices regarding the prevalence of Hinduism in Bali, and of the nature of the government and country, have hitherto been so scanty, that on such interesting ground I may be pardoned for entering into some detail, without which it is impossible to convey a just notion of the subject.

The island of Bali is at present divided under seven separate authorities, each independent of the other; and, of this heptarchy, the state of Klongkong is acknowledged to be the most ancient; its princes tracing their descent from the princes of Java, and having once possessed authority over the whole island. Among the regalia of this state are reported to be still preserved the creese of Majapahit, and the celebrated gong named Bentur Kadaton; and, although the other governments do not at the present day admit of any interference on the part of this state, they still evince a marked respect and courtesy to that family, as the Asal Rajah Bali, (the stock from which they sprung).

The population is roughly estimated by the number of male inhabitants whose teeth have been filed, and whose services each prince can command, and who amount to upward of 200,000. The female population is understood rather to exceed the male; and, as it may be considered that only the active and able bodied men

are included in the above list, an average of four to a family may be fairly taken, giving a total population for the whole island exceeding eight hundred thousand souls.

The form of government, institutions and prevailing habits, are represented to be the same throughout the island; and the following sketch of *B'liling* may afford a just notion of the whole.

The government is despotic, and vested in the prince alone, who is assisted in all affairs relating to the internal administration of the country, by a head Perbakal, (immediately under officers of this name, are placed the heads of villages,) and by a Radin Tumung-gung, who conducts the details of a more general nature, of commerce and foreign intercourse. The constitution of each village is the same; the head or chief is termed Perbakal, and the assistant, Kalian Tempek. These officers are invariably selected from among the people of the village; the son, however, generally succeeding the father, if competent to perform the duties. Under the head Perbakal, who has the designation of Perbakal Rajah, are several inferior Perbakals for general duties and communications with the villages; and under the Radin Tumun'gung a similar establishment, bearing the rank and designation of Kalian Tempek. Among the heads of villages are many whose families have formerly distinguished themselves in the wars of Bali, and who are termed Gusti. The command of the military is at present vested in a chief of the Bramana cast, and who seems to receive honours and respect next to the prince himself.

Whatever, at former periods, may have been the extent and influence of the Hindu religion, Bali is now the only island in the Eastern Seas, in which that religion is still prevailing as the national and established religion of the country. That high spirit of enterprize which burst the bounds of the extensive confines of India, like the dove from the ark, rested its weary wing for a while in Java, till driven from thence it sought a refuge in Bali, where even amongst the rudest and most untutored of savages, it found an asylum. The four grand divisions of the Hindus are here acknowledged, and the number of Bramana (Bramins) attached to the small state of B'liling exceeds four hundred, of whom about one hundred are termed Pandita.

Without entering into the particular tenets of the prevailing Hinduism of Bali, which can only be treated of with propriety and correctness after a more thorough acquaintance with the practical duties, and some knowledge of what is contained in their sacred records, it may be affirmed without hazard, that Hinduism, as it exists at the present day in Bali, is rather to be considered as the nationalized Hinduism of Bali, in which a large portion of the native institutions and customs are admitted, than Hinduism as it is understood to prevail on the continent of India. The Brahmins, however, are held in high veneration; and, on being questioned as to their doctrines and to what sect they belong, they answer invariably, they are Bramana Siwa. They have the same appearance as Bramins wherever they are met with, and the Indian features at once distinguish them as descended from a foreign race. The town and small temples which we occasionally observed, have the appearance of a Maharatta village, and the eye is struck with every thing strictly Hindu, forming a most unexpected contrast with the present style of building and appearance of the country on passing through Java and the other Eastern Islands.

On inquiring into the relative rank and importance of their deities, they invariably described Bitara Guru as the first in rank; then Bitara Brama, the spirit of fire; Bitara Wisnu, the spirit of the waters; and lastly, Bitara Siwa, the spirit of the winds.

Beside these, they describe numerous subordinate deities, to whom they pay adoration; as Dewa Gid'e Segara, the divinity of the great sea; Dewa Gid'e Dalam, the divinity who presides over death; Gid'e Bali Agung, the great and popular deity of Bali; Dewa Gid'e Gunung Agung, the great deity of the mountain; which last is the deity of most general worship.

Bitara Guru, though considered as the highest object of worship, is declared to be subordinate to, and only the mediator with the divinity, whom they designate by the expressive and appropriate term of Sang Yang Tung'gal, The Great and Only One.

The bodies of deceased persons are invariably burnt, and the wives and concubines of the higher classes perform the sacrifice of *Satia*.* A few days previous to my landing on Bali, nineteen young women, the wives and concubines of the younger rajah, who was lately put to death, sacrificed themselves in this manner.

The written language of Bali differs but little from that of Java; but the character has a more ancient form. The Kawi is the sacred language, and understood or pretended to be understood by the Bramins. The common language is a mixture of the original language of the country and that of Java, in which the latter predominates.

Deferring until another occasion a more particular review of the religion, institutions and habits of this people, I will, for the present confine myself to such observations as occur on the contemplation of the peculiar and extraordinary character they exhibit: for the Balinese differs widely both in appearance and character from the Javan, and indeed from every other inhabitant of the archipelago.

The natives of Bali are about the middle size of Asiatics; larger and more athletic than the Javans or Malays, and possessed of an air of independence different altogether from the appearance of their more polished neighbours on the coast of Java. The women, in particular, are well proportioned. They seem to be on a perfect equality with the men. They are not secluded from society; and their general intercourse with strangers, even Europeans, is frank and cheerful. They are fairer than the women in Java; and, wearing no covering above the waist, the natural beauty and symmetry of their shape is neither restrained nor concealed.

There are two kinds of slavery existing in Bali, and sanctioned by the laws of the country. The first is termed "*paniak*;" by which is understood a perfect state of slavery; the second, "*kowang*," which resembles the condition of the slave-debtor in Sumatra and the Malay Peninsula. "*Paniak*" is synonimous with "*humba*" among the Malays, and signifies a slave. The master has complete possession of his person; and may lawfully transfer and punish with death, according to his will and pleasure, it being contrary to usage for the prince to interfere. In the mode of acquiring this absolute property there appears to be but little restriction. Prisoners taken in war, or families carried off from their countries, are daily sold and transferred; the deed of transfer, called in Bali, "*padol*," being authenticated by the Tumung'gung. In cases where an outrage is committed in a neighbouring state in alliance, application from the injured party, transmitted through the proper chief, will cause the persons to be restored, and the perpetrators of the outrage are liable to the punishment of death; but, in cases where the countries are not immediately in alliance, or when the parties carried off from a friendly state happen to want friends to make application in their favour, no notice is taken of such occurrences. If a free man wishes to marry a female slave, he may obtain her by purchase, provided he can agree with the proprietor; otherwise, he may be admitted to marry her on condition that he becomes a servant with her: this second degree of slavery comes under the title of "*rowang*." Persons convicted of offences not of the first magnitude, are generally sold for slaves by the prince, or taken to serve him as such. The term "*rowang*" is used to express the second, or modified degree of slavery. If a man happens to be indebted, and without the means of payment (the debt exceeding ten dollars) he may be sold by the Jaxa, and the amount for which he is disposed of is appropriated to repay his creditor; the surplus being divided between the prince, the jaxa, and the creditor, as a recompense for their trouble: the man sold in this manner becomes a rowang. This state of servitude embraces every feature of slavery, excepting that the rowang cannot be sold, put to death, nor sent out of the country. If a rowang wishes to marry, he may do so on receiving his master's consent, but the woman becomes a rowang also. But the rowang possesses this advantage, that he may redeem himself at any time, by paying the amount of the debt, or the money may be advanced for him; so that his condition is that of a debtor bound to serve his creditor until the amount of his debt is discharged. In the event of the debt not amounting to ten dollars, the party

* Burning themselves with the deceased, sometimes written *Suttee*.—*Edit.*

cannot be sold; but the jaxa will order the goods and property of the debtor to be disposed of, and an obligation to be given for the payment of the remainder whenever his circumstances may admit. A person indebted to another, and unable to pay, may make over his wife and children to the creditor, who, in such case, will become *rowangs;* and, on eventual payment of his debt, he may demand back his family.

In marriage, the dowry established by custom, for all persons of equal rank, is forty dollars, to be paid to the parents of the bride*; but, as it happens, in many cases, that the husband is unable to pay this sum, he becomes indebted to the parents for the amount, and this constitutes a third branch of slavery, under the term *Tatung'gon.* The man and wife reside in the house of the bride's father, and the man performs service in attendance on the family, or in assisting in the cultivation of the land. When the husband is enabled to pay the dowry, he is then at liberty to quit the father's house, and to maintain an independant establishment, under the term of "Orang Merdika," or freeman. If the new-married man, however, behaves to the satisfaction of his wife's family, it often happens, that after a certain time, the father-in-law consents to remit the whole or part of the dowry, according to the circumstances of the parties.

The punishments for crimes are death, confinement, and selling into slavery; neither torture to obtain confession, mutilation, nor even corporal punishment are used. Theft and robbery are punished with death; and, for murder, treason, and gang robbery, in aggravated cases, the punishment of death is inflicted by breaking the limbs with a hatchet: this, though it assimilates to the manner of breaking on the wheel, does not appear to have been adopted from Europeans, the practice being of ancient date. The party is left to linger, sometimes for several days, before death ensues. All executions are in public. Other capital punishments are usually performed with a creese. Open robbery by daylight is punished by death; but stealing, by confinement only: robbery by night invariably by death. All offences are punished in the jaxa's court, which consists of two jaxas and two kancha or registers; the perbakal being the prosecutor. The sentence of the court must be confirmed by the prince, previous to execution, his warrant or *lontar,* is necessary in all cases; in civil cases, the confirmation of the prince is only required when persons are sold into slavery. A regular table of fees, in civil as well as criminal cases is exhibited in court; and the amount divided between the members and the prince. In criminal cases, when the punishment is capital, the property is confiscated, and divided in like manner; but, in other punishments, the parties retain their property. Adultery is punished with death to the man, and the woman becomes a slave to the prince. Theft is the most prevalent crime. Adultery is uncommon; perhaps not twenty cases in a year. The husband has the power, by law, to kill both parties at the moment, if he detects them in the fact; but not otherwise.

In their domestic relations, however, the conduct of the Balinese appears unexceptionable; and there is indeed a superior delicacy to what might be expected, and their tenderness towards early age speaks strongly in favour of their natural disposition. The parental authority is exercised with such tenderness, that it is peculiarly striking when taken in the same view with the apparently rude character of the people. They seem to evince a careless indifference to the rod of despotism which hangs over their head; and an air of good humour and general satisfaction prevails throughout. Temperate in their diet, and strangers to drunkenness, the ruling passion is gaming, from cockfighting to an inordinate and unprincipled desire for conquest.—Such is the energy of the character, that it must find some powerful vent; something on which to discharge itself; and, not being subjected to a form of government calculated to repress their energies, they evidently feel no inclination to stand still in the scale of civilization. As a nation, they are certainly invincible, as to any native power in the Eastern Seas. Still maintaining a high and noble independence of character, they perhaps exhibit in a concentrated spot as much of human nature, checked by regulation,

* In Bali, as well as in Java, the term used for this payment signifies a purchase.

and yet not lowered or refined by it, as is to be found in any part of the universe.

Ancient Population of the Islands.

If we contemplate the various nations and tribes which inhabit the Southern peninsula of India, and the innumerable islands composing that portion of the globe which is comprehended within Polynesia and Austral Asia, our attention is arrested by the striking uniformity in habits and language which prevails throughout; and which induces the inference, either of one common origin, or of early and very general intercourse.

Such customs as the singular practice of filing the teeth and dying them black, noticed by the authors who have written on Pegu, Siam, Camboja and Tonquin, and prevailing generally throughout the whole Malayan archipelago; the practice of distending the perforated lobe of the ear to an enormous size, noticed in like manner to exist in the same parts of the peninsula, and prevailing throughout the archipelago, in a greater or less degree in proportion with the extension of Islamism; the practice of tattooing the body, noticed among the Burmans and people of Laos, common to many tribes in Borneo, and particularly distinguished in some of the islands in the Pacific Ocean of tattooing, betray a common original; and if it is recollected that this custom, as well as that of plucking the beard, was noticed in South America, the question may arise, in what course or direction the tide of population has flowed. In a recent publication, an idea has been started, in reference to the similarity of the languages, that the population of the Philippines and of the islands in the South Sea originally emigrated from America.* It will not be required of me to go into any description of those singular appendages to the virile member, noticed by the writers on Pegu, Siam and Camboja, and adopted among many tribes of Borneo and the Moluccas. Whatever may have been the origin of this very singular custom, traces are to be found, even in Java of the veneration in which it once was held. The practice of triumphing over a subdued enemy may be common to the barbarous state in general; but the deliberate system of *man-hunting*, in order to procure heads as a trophy of manliness and military gallantry, however it may have originated in this feeling of uncivilized nature, may be ranked among the peculiarities of this portion of the globe.

The language of the different tribes of Borneo is ascertained to bear a strong resemblance to that of the scattered tribes of Camboja, Champa and Laos. The position maintained by Mr. Marsden, that the Malayan is a branch or dialect of the widely extended language prevailing through the islands of the archipelago to which it gives name, as well as those of the South Sea, appears to be established and confirmed as our information advances; and, if we except the Papuas, and scattered tribes having curled hair, we find the general description given of the persons of the Siamese and the ruder population of the adjacent countries, which have not admitted any considerable admixture from the Chinese, to come very near to the inhabitants of the archipe-

* This author notices, that observing, that the proper names of places about the middle of the continent of South America, were very similar to those of the Philippines, he endeavoured to procure a vocabulary of the country, and to examine the few words, of the language of Chili, which Ercilla mentions in his Araucana, and found them perfectly conformable to the language of Tagala.—"In examining the structure of the two languages," he observes, "we are compelled to conclude that they flow from one and the same source; and I dare to affirm, that the Indians of the Philippines are descended from the aborigines of Chili and Peru, and that the language of these islands derives immediately from the parent source, those of the neighbouring islands being dialects of this." He adds, "that there are many reasons, and one in particular, for supposing that the islands in the South Sea could not be peopled from the westward, viz. that in all the torrid zone the east wind generally prevails, which being in direct opposition to the course from Malacca and the adjacent islands, it is fair to conclude the inhabitants of all the islands in the South Sea came from the east, sailing *before the wind*; for we have seen it often happen, that the Indians from the Palaos have arrived at the Philippines precisely under these circumstances. On the contrary, we have no instance on record of any of the Philippine Indians having been, even by accident, carried by the winds to the islands to the eastward."

"Here, therefore," he concludes, "we appear to have formed the most probable solution of our difficulties; that is, that the first settlers came out of the east, we may presume from the coast of South America, and proceeding gradually to the westward through the Pacific Ocean, studded as we find it with islands and clusters of islands, at no very great distance from each other, and of course of easy access before the wind; it follows that to whatever point, in an eastern direction, we trace the Tagalic language, we may conclude that at that point emigration must have commenced."—Description of the Philippine Islands, by Martinez de Tuniga—Marns. Trans. page 30.

lago, who, in fact, may be said to differ only in being of a smaller size, and in as far as foreign colonization and intercourse may have changed them.

To trace the sources whence this colonization and consequent civilization flowed, and the periods at which it was introduced into different states, is a subject new to the historian, and not uninteresting to the philosopher.

If we admit the natural inference, that the population of the islands originally emigrated from the continent, and, at the same time, the probability, that the country lying between Siam and China, is the immediate source from whence such emigration originally proceeded, the history of the Eastern Islands may, with reference to that of Java in particular, in which a powerful Hindu government was without doubt early established, be divided into five distinct periods.

The first division would include the period commencing with the earliest accounts of the population, down to the first establishment of a foreign colony in Java, of which the written annals of the country make mention. The date of this is pretty accurately ascertained, and may be fixed at about the commencement of the sixth century of the Javanese era, or A. D. 600; at which time only the period of authentic history can be considered to commence.

The origin of all nations is buried in obscurity; and, unless we may succeed in obtaining new lights from Siam or China, we shall have but little to guide us, during the early part of this division, beyond conjecture, and such general inferences as may be drawn from a similarity in person, language and usages, still found to prevail among the less civilized tribes. According to the division of Sir William Jones, the original population of the islands were doubtless of the Tartar race, and probably from the same stock as the Siamese. The Javans date the commencement of their era from the arrival of Adi Saka, the minister of Prabu Joyo Boyo, sovereign of Hastina, and the fifth in descent from Arjuno the favorite of Krisna, and the leading hero of the B'rata Yud'ha. This epoch corresponds with that of the introduction of a new faith into China, and the further peninsula, by Saka, Shaka, or Sakia, as he is differently termed, and with the chronology of the Hindus, as explained by Sir William Jones, in which Saka is supposed to have reigned seventy-nine years subsequent to the commencement of the christian era. But whether Saka himself, or only some of his followers, assuming this name, found their way to Java, may be questionable; and it is not impossible that the Javanese may have subsequently adopted the era, on a more extended intercourse with the further peninsula.* A connection would at any rate appear to have existed between Java and Siam; as this Adi Saka is not only represented to have founded the present era of Java, but to have introduced the original letters of the Javanese alphabet, by a modification of the letters used in Western India, and in Siam. It does not appear that either he or his followers established themselves in any authority; and we can trace but little with certainty during the following five centuries. Some of the Javanese accounts refer to the arrival of various settlers during this period; but we find no traces either of a government having existed, or of the establishment of any extensive colony, until the commencement of the sixth century. I should observe, in this place, that the Javanese year corresponds pretty nearly with the Hindu year of Salivarna; and that the word *Saka,* in Sanscrit, means an epoch or era, and is applied to the founder of an era.

The Javanese occasionally use the numerals for recording dates; but more generally, and particularly in dates of importance, they adopt an hieroglyphical invention, termed "Chondro Sangkolo," in which the different numerals, from one to ten, are represented by particular objects. This is either effected, in buildings and sculpture, by the actual representations of these objects; or, in writing, by the insertion of their names, the meaning frequently having some allusion to the fact which the date records: thus, the date of the destruction of Majapahit, in the Javanese year 1400, is recorded as follows, the order of the numerals being reversed:—

Sirna	ilang	Kertaning—	Burni.
Gone—	gone—	is the work—	of the land.
0	0	4	1

Anterior to this supposed arrival of Adi Saka, the two most eventful periods in

* The present Javanese year is 1742.
That of Bali . . . . 1733.

the history of these countries of which tradition and history make mention, are—first, that which includes the excursions of the far-famed race, which have been supposed to have peopled South America,* and according to Sir William Jones, "imported into the furthest parts of Asia, the rites and fabulous history of Rama;" and secondly, that which includes the consequences of the invasion of India by Alexander the Great. That the fabulous history of Rama as well as the exploits of Alexander, have been current in the Malayan archipelago from time immemorial, cannot be questioned; and it may be remarked, that while the Javans use the term Rama for father, the Malays universally attempt to trace their descent from Alexander or his followers. Sumatra was long considered to have been the *Taprobanè* of the ancients; and, when we advert to the single circumstance, that this was said to be a country in which the north polar star was not visible, or only partially, we must still doubt the correctness of the modern conclusion in favour of Ceylon. The eastern islands furnish that peculiar kind of produce which has from the earliest times been in demand by continental nations, and the same avidity with which, in modern days, Europeans contended for the rich products of the Moluccas, actuated, in all probability, at a much earlier period, adventurers from Western India. Traces of intercourse with Ethiopia may be found at this day, in the scattered tribes of the woolly-haired race peculiar to Africa, which are to be found in the Andamans, in the southern part of the further peninsula, and throughout the archipelago; and that the Hindus were at one period an enterprizing and commercial nation, may, I think, be established, with little difficulty, from the incontestable proofs which at this day exist in Java, and the traffic which still exists in native vessels and on native capital between the Coromandel coast and the Malayan peninsula. If any country, therefore, in the archipelago, lays claim to this distinction more than another, it is Java; but, probably, it was rather to the Eastern Islands generally, than to one island in particular, that the appellation was given. Both Ptolemy and the Arabians would seem to have distinguished the islands by one general name. By the one they were termed "Jabadios Insulæ;" by the others, "Jau or Jawa;" and hence, probably, the confusion in the travels of Marco Polo, and the still disputed question between Java Major and Java Minor.*

The second division would include the period between this first regular establishment from Western India, and the decline and fall of the first Eastern Empire in Java, which may be fixed with tolerable accuracy at about the Javanese year 1000, or A.D. 1073.

During this period, by far the most eventful in the history of Java, we shall find that colonies of foreigners established themselves, not only in Java, but in various other islands of the archipelago; that the arts, particularly those of architecture and sculpture, flourished in a superior degree, and that the language, literature and institutions of the continent of India were transfused in various directions through the oriental islands. It was during this period, that the principal temples, of which the ruins now exist in Java, were built; and, beside the concurring testimonies of tradition, and the written compositions of the country, the numerous inscriptions and dates, on stone and copper, the characters of which we are now able to decypher, as well as the ancient coins, would lend essential aid in establishing a correct chronology. On the one hand, it would be our task to direct our inquiries to the history of the various continental nations whence these foreigners may have proceeded; and, on the other, to the nature and extent of the establishments, intercourse, and civi-

* See a former note on the similarity between the languages of South America and the Philippines, and the recent works of Humboldt, on the existence of Hindu remains still found in America, in support of this assertion.

* If we reflect upon the extent and nature of the recent volcanic phenomena in Sumbawa, and the effects which have been produced by similar convulsions of nature, we are led to conclude, that the present appearance and form of the various islands of the archipelago may be very different from what they were two or three thousand years ago. At that period, these islands may have formed part of the main land, or have been themselves united in one continent.—An authentic account of this extraordinary phenomenon, as far as it can be collected from information yet received, is submitted to the Society, and will be found in its transactions. I can vouch for the correctness of the statements; and the raw materials may be found useful in the hand of the natural historian.

lization introduced by them into the different islands.

This period will commence from the arrival of Awap, the reputed son of Balia Atcha, sovereign of Kudjiràt, who came in search of a celebrated country, described in the writings of Saka; and who, under the name of Sewelo Cholo, established the first regular monarchy of which the Javanese annals make mention; and include the adventures of the celebrated Panji, the pride and admiration of succeeding ages. Our attention would also be directed, in a particular manner, to the intercourse between Java and the other islands, and the nature and extent of the foreign establishments formed by Java. Tradition, and the popular romances of the country, represent, not only the kingdoms of Goa and Luhu in Celebes, but even the kingdom of Menangkabaú, in Sumatra, to have been established about the conclusion of this period, by princes from Java.

The third division would include the period from the above date to the final overthrow of the second Eastern Empire, in the Javanese year 1400. Some idea may be formed of the power and opulence of this second empire, established at Majapahit, from the extensive ruins of that city, still extant. These I took an opportunity of visiting during my late tour; and I believe I am within the mark, when I represent the walls to have enclosed a space of upward of twenty miles in circumference.

Within this period will be included the establishment of the Western Empire at Pajajaran, the subsequent division of the island under the princes of Majapahit and Pajajaran, the eventual supremacy of Majapahit, and the final overthrow of the government and ancient institutions of the country, by the general establishment of the Mahometan faith.

It is during this period that Java may be said to have risen to the highest pitch of her civilization yet known, and to have commanded a more extensive intercourse, throughout the archipelago, than at any former period. Colonies from Java were successively planted in Sumatra, the Malayan peninsula, Borneo and Bali, the princes of which countries still trace their descent from the house Majapahit; and that adventurers from Western India, from Siam, from Champa, from China and from Japan, frequented Java in the greatest number. But the object of the first importance will be, to trace the introduction, progress and final establishment of the Mahometan faith in the various countries where it now is acknowledged as the established religion, and particularly in Java, where we find, that notwithstanding attempts to make proselytes were as early as the commencement of the twelfth century, such was the attachment of the people to their ancient faith and institutions, that these efforts did not effectually succeed till the latter end of the fifteenth century of the Christian era.

A fourth division would commence with the establishment of the Mahometan government in Java, and might be brought down to the establishment of the Dutch in the Eastern Seas, which may be taken as A. D. 1600; and a fifth, and by no means uninteresting period, might include the history of the European establishments, down to the conquests by the British arms in 1811.

The further prosecution of this extensive inquiry would lead me beyond the limits at present prescribed; and I must, therefore, conclude with drawing your attention to the striking similarity between the early state of Greece, and that of the Malayan islands. Change but the names, and the words of Mitford's Introduction to his History of Greece will be found equally applicable to this more extensive archipelago.

"Thus," he observes, "Greece in its early days, was in a state of perpetual marauding and piratical warfare; cattle, as the great means of subsistence, were first the great object of plunder: then, as the inhabitants of some parts by degrees settled to agriculture, men, women and children were sought for as slaves. But Greece had nothing more peculiar than its adjacent sea, where small islands were so thickly scattered, that their inhabitants, and in some measure those of the shores of the surrounding continents also, were mariners by necessity. Water expeditions therefore were soon found most commodious for carrying off spoil. The Greeks, moreover, in their more barbarous state, became acquainted with the precious metals; for, the Phœnicians,

whose industry, ingenuity and adventurous spirit of commerce led them early to explore the further shores of the Mediterranean, and even to risk the dangers of the ocean beyond, discovered mines of gold and silver in some of the islands of the Ægean; and, on its northern coast they formed establishments in several of the islands, and Thasus, which lay convenient for communication with the most productive mines, became the seat of their principal factory. Thus was offered the most powerful incentive to piracy, in a sea whose innumerable islands and ports afforded singular opportunity for the practice. Perhaps the conduct of the Phœnicians, towards the uncivilized nations among whom the desire of gain led them, was not always the most upright or humane; hostilities would naturally ensue, and hence might first arise the estimation of piracy which long prevailed among the Greeks as an honourable practice."

Java has long been advanced beyond that state in which piracy and robbery are held to be honourable in the eyes of men; but the picture will be found pretty correct of those islands strictly denominated Malayan.

The superior and extraordinary fertility of the soil may serve to account for the extensive population of Java, compar edwith that of the other islands; and, when, to the peaceable and domestic habits of an agricultural life, are added the facilities for invasion along an extensive line of coast, accessible in every direction, it will not have been surprising that she should have fallen an easy prey to the first invader. She appears to have lost, by these invasions, much of that martial spirit and adventurous enterprize which distinguishes the population of the other isles; but, at the same time, to have retained, not only the primitive simplicity of her own peculiar usages, but all the virtues and advantages of the more enlightened institutions which have been introduced at different periods from a foreign source. At all events, when we consider that her population cannot be less than four millions, and when we witness the character and literature of the people as it is even now exhibited, we must believe that Java had once attained a far higher degree of civilization than any other nation in the southern hemisphere.

Japan.

You will, however, expect from me some notice regarding Japan—"that celebrated and imperial island," which, to use the words of Sir William Jones, bears "a pre-eminence among eastern kingdoms, analogous to that of Britain among the nations of the west;" and, however slender may have been the information procured, such as it is, I venture to submit it to you, nearly as I received it from the verbal communications of Dr. Ainslie.

It may be satisfactory and gratifying in the first place to observe, that every information which has been obtained, tends to confirm the accuracy, the ability, and the impartiality of Kæmpfer, whose account of Japan is perhaps one of the best books of the kind that ever was written, considering the circumstances under which he was sent. I am assured that there is not a misrepresentation throughout; he was a man of minute accuracy and felicity of talent, who saw every thing as it was, and not through the mist or medium of any preconception. The Japanese observe of him, that he is, in his History, "the very apostle of their faith," from whose works alone they know even their own country. Their first enquiry was for a copy of Kæmpfer; and, endeavouring to evince the estimation in which this author was held by them, their observation literally was, that "He had drawn out their heart from them, and laid it palpitating before us, with all the movements of their government, and the actions of their men!"

Referring you therefore, to the works of Kæmpfer for an account of their history, institutions, and acquirements, as the genuine data on which this interesting people may be appreciated, I need only offer a few notices on the character which they appeared to Dr. Ainslie to display, during a residence of four months, and as far as he had an opportunity of judging.

They are represented to be a nervous, vigorous people, whose bodily and mental powers assimilate much nearer to those of Europe than what is attributed to Asiatics in general. Their features are masculine and perfectly European,

with the exception of the small lengthened Tartar eye, which almost universally prevails, and is the only feature of resemblance between them and the Chinese. The complexion is perfectly fair, and indeed blooming; the women of the higher classes being equally fair with Europeans, and having the bloom of health more generally prevalent among them than usually found in Europe.

For a people who have had very few, if any external aids, the Japanese cannot but rank high in the scale of civilization. The traits of a vigorous mind are displayed in their proficiency in the sciences, and particularly in metaphysics and judicial astrology. The arts they practice speak for themselves, and are deservedly acknowledged to be in a much higher degree of perfection than among the Chinese, with whom they are by Europeans so frequently confounded; the latter have been stationary at least as long as we have known them, while the slightest impulse seems sufficient to give a determination to the Japanese character, which would progressively improve until it attained the same height of civilization with the European. Nothing indeed is so offensive to the feelings of a Japanese as to be compared in any one respect with the Chinese, and the only occasion on which Dr. Ainslie saw the habitual politeness of a Japanese ever surprized into a burst of passion was, when, upon a similitude of the two nations being unguardedly asserted, the latter laid his hand upon his sword!

The people are said to have a strong inclination to foreign intercourse, notwithstanding the political institutions to the contrary; and perhaps the energy which characterizes the Japanese character cannot be better elucidated, than by that extraordinary decision which excluded the world from their shores, and confined within their own limits a people who had before served as mercenaries throughout all Polynesia, and traded with all nations—themselves adventurous navigators.

There is by no means that uniformity among them which is observed in China, where the impression of the government may be said to have broken down all individuality and left one Chinese the counterpart of another. Unlike the Chinese, the women here are by no means secluded—they associate among themselves, like the ladies of Europe. During the residence of Dr. Ainslie, frequent invitations and entertainments were given; on these occasions, and at one in particular, a lady from the court of Jeddo is represented to have done the honours of the table with an ease, elegance, and address that would have graced a Parisian. The usual dress of a Japanese woman of middle rank costs perhaps as much as would supply the wardrobe of an European lady of the same rank for twenty years.

The Japanese, with an apparent coldness, like the stillness of the Spanish character, and derived nearly from the same causes, that system of *espionage*, and that principle of disunion, dictated by the principles of both governments; are represented to be eager for novelty, and warm in their attachments; open to strangers, and, abating the restrictions of their political institutions, a people who seem inclined to throw themselves into the hands of any nation of superior intelligence. They have at the same time a great contempt and disregard of every thing below their own standard of morals and habits, as instanced in the case of the Chinese.

This may appear to be contradicted by the mission from Russia in 1814, under Count Kreusenstern; but the circumstances under which that mission was placed should be considered. From the moment of their arrival they were under the influence of an exclusive factor, who continued to rain upon them every possible ignominy which can be supposed to have flowed from the despotism of Japan, through the medium of an interested and avaricious man, who dreaded competition or the publication of his secret. The warehouse in which the Russian mission had been lodged was pointed out to Dr. Ainslie, who observes, that, "as the rats were let out the Count and his suite were let in, where they remained for six long months, with scarce room to turn; the mark of obloquy to the Japanese, and the laughing stock of the European factory." So lively, indeed, was the impression of the occurrence, that the chief Japanese officer asked the English commissioner if he too would condescend to play the part

of the Russian count!—the officer answering to his own question, "No, I trust not."

The mistaken idea of the illiberality of the Japanese in religious matters, seems to have been fully proved; and the late mission experienced the reverse in a degree hardly credible, and little expected by themselves from the representations previously made to them. The story of the annual test of trampling on the crucifix, at Nanggasaki and the other important cities, is a story derided by the Japanese priesthood. On visiting the great temple on the hills of Nanggasaki, the English commissioner was received with marked regard and respect by the venerable patriarch of the northern provinces, eighty years of age, who entertained him most sumptuously. On showing him round the courts of the temple, one of the English officers present heedlessly exclaimed in surprize, *Jasus Christus!* The patriarch, turning half round, with a placid smile, bowed significantly expressive of "We know you are *Jasus Christus*; well, don't obtrude him upon us in our temples and we remain friends;" and so, with a hearty shake of the hands, these two opposites parted. This leave-taking reminded Dr. Ainslie very forcibly of the story Dr. Moore tells so well of the Duke of Hamilton and himself, taking leave of the Pope. The Pope, who had conceived a regard for the young Duke, on the latter making his *congé* said, "I know you laugh at the benediction of a Pope; but the blessing of an old man can do you no harm;" and, so saying, laid his hand on his head, and blessed him.

The massacre of Samebarra is by the Japanese attributed to European intrigue; and even Kæmpfer notices that the European ships of war formed the practical breach, through which the Japanese entered, and perpetrated that massacre, to which it would appear they had been originally prompted by others.

That the negociations from England on a former occasion should not have been more successful than the late attempt from Russia, may easily be accounted for, when we reflect on the possibility of the favoured factor having said to them, "Forty years ago your throne has been all but overturned by the intrigue of these *heretics*; this embassy comes from the king who has married the daughter of the head of that caste; and from whom you can expect nothing less than an irruption still more fatal to your tranquillity." Such an argument, pushed by a narrow-minded and interested factor, could not but carry weight with the Japanese, accustomed to respect and to place all confidence in their western visitors.

They are not averse to the indulgence of social excess; and, on these occasions, give a latitude to their speech which one would hardly suppose they dared to do in Japan.

It is an extraordinary fact, that for seven years past, since the visit of Captain Pellew, notwithstanding the determination of the empire not to enter into foreign commerce, the English language has, in obedience to an edict of the Emperor, been cultivated with considerable success by the younger members of the College of Interpreters, who indeed were found eager in their inquiries after English books.

While the commissioner was at Nanggasaki, there arrived a large detachment of officers of rank, who had been out nearly four years and not yet completed one-fourth of a survey on which they were engaged. These officers were attended by a numerous and splendid retinue, and were employed in making an actual survey of every foot of the empire and the dependent isles. The survey appeared to be conducted on a scientific principle, to be most minute and accurate in its execution and to have for its object the completion of a regular geographical and statistical description of the country.

In a word, the opinion of Dr. Ainslie is, that the Japanese are a people with whom the European world might hold intercourse without compromise of character. For the Japanese themselves, they are wonderfully inquisitive in all points of science, and possess a mind curious and anxious to receive information, without inquiring from what quarter it comes.

In the same spirit let us hope, that now, when

> That spell upon the minds of men
> Breaks, never to unite again—

no withering policy may blast the fair fruits of that spirit of research which has gone forth from this hall; nor continue, under any circumstances, to shut out one half of the world from the intelligence which the other half may possess.

For the Asiatic Journal.

AN EXCURSION TO ADAM'S PEAK IN THE ISLAND OF CEYLON.

On the morning of the 26th of April, 1815, Lieutenant Malcolm, who commands a detachment of the 1st Ceylonian Saffragam, set out with a party of one serjeant and four Malay soldiers from Batugedera, to ascend the mountain called Adam's Peak.

Lieutenant Malcolm had been detained some days in expectation of guides, whom Dolip Nelemy, the headman of Batugedera, had engaged to procure; but after frequent disappointments, he resolved to wait no longer, and to take his charge of obtaining guides at Gillemelle on the way. All unnecessary incumbrances were avoided, and the whole baggage consisted of provisions for three days, some blankets, a measuring chain, and a quadrant. The road followed the windings of the Cultura River, which, at the distance of two miles from Batugedera, receives the Mugelle, two chains in breadth at the confluence. On the left banks are the ruins of a fort erected last war to command the fort. From the Mugelle to the Rest House of Gillemelle, is 3½ English miles. Two guides were procured after some delay at Gillemelle, and the party leaving the Rest House, crossed immediately the Malwellow half a mile further, another river called the Mashelle. From the banks of the latter, the road entered into a forest of noble trees, straight as pines, and from fifty to seventy feet in height. About four in the afternoon Lieutenant Malcolm arrived at Talabula, ten miles and eighteen chains from Batugedera. Here there is a temple and a Rest House for the accommodation of pilgrims on their way to Adam's Peak: about two hundred of both sexes and of all sorts and conditions were assembled at this place, some on the road to the mountains, and some on their return from it. The dance was continued to the sound of tom-toms and Cingalese songs without intermission, until the pilgrims who were going to mount the hill, began to prepare their lights. About eight o'clock they set out in different groups.

The Head-Priest endeavoured to dissuade Lieutenant Malcolm from proceeding any further; assuring him that no white man ever did or ever could ascend the mountain. This superstitious remonstrance was disregarded, and as soon as the priest had got ready their lights, the party set off about eleven o'clock at night. After passing three small forts erected this war, to repel the king of Candy's troops, they began to ascend the first mountain, and reached the top in four hours. From the next hill the Cultra River descends, and upon the rocks close to that stream the party breakfasted at five o'clock. When their breakfast was over they continued their way up the second hlll, Adam's Peak still towering far above their heads. After surmounting two other distinct ascents equally steep but of less height, they came to the foot of the Peak itself. The face of the hill here seemed to be quite perpendicular, and the pilgrims who had left Talabula before them, were seen at a great height climbing up the precipice by means of the iron chains which are for that purpose fixed in the rock. Lieutenant Malcolm and his people stopped a few minutes to take breath, and after a considerable exertion they got safe to the top between eight and nine in the morning of the 27th of April.

The view from this great elevation was for a short time most beautifully magnificent, and well rewarded all the labours of ascent. On one side there appeared as far as the eye could reach, a vast extent of wooded hills like an ocean of forest whose waves had suddenly been fixed in one unalterable position; on the others the tops only of the hills rising above the fogs, resembled a number of well wooded islands, scattered over the sea that filled all the space below. Batugedera was seen on one side under the feet, and on the other in the distance, the Candian mountains interspersed with clouds. This noble prospect was but of short duration, for suddenly a thick fog arose from the bottom of the mountain and drew a curtain over all the sublimity of the scene. The top of the Peak is contracted to a small compass, it is seventy-

two feet long and fifty-four broad, and a parapet wall five feet high closes it all round. On the east side a part of this wall has fallen, and some of the remainder is much out of repair. In the middle of this area is a large rock of iron stone, upon which is the mark of Adam's left foot, though some help of imagination is required to trace it out. This sacred footstep is covered over with a small wooden building twelve feet long, nine broad, and four and a half high to the tiles, and is besides immediately enclosed by a frame of copper fitted to its shape, and ornamented with four rows of precious stones.

The party was not provided with a British flag, but fired three vollies to the great astonishment of the Budhists, for it is probable this was the first armed party that ever had ascended the Peak. The Priest warned them of approaching rain, and they made the best of their way down the mountain, which they found more laborious to descend than it had been to climb. The rain which soon began to pour down increased the difficulties of the road, but they reached Palabula in safety about four in the afternoon, and next morning returned to their quarters at Batugedera.

The road from Palabula is a continued ascent over rocks and fragments of iron stones. Sound lungs and hard feet are requisite to perform the journey, for it is often necessary to climb barefoot over the iron stone. Palanquins are quite out of the question. In heavy rains there may be some risk, but in fair weather the mountain may be ascended with little difficulty and without any danger. The summit of the Peak was only clear about a quarter of an hour, which did not allow time enough for taking any bearings.

For the Asiatic Journal.

AN ACCOUNT OF THE NUPTIALS OF VAZEER ALLEE,

Extracted from a private Letter.

Lucnow, Feb. 28, 1795.—I shall give you an account of the celebration of an eastern Nawab's marriage, to which I was lately invited. It was the nuptials of Vazeer Allee, the eldest son, real or pretended, of Nawab Asuf ud Dowlah, the present Nawab of Oude, whose capital is Lucnow; I say real or pretended, as public rumour confidently asserts, that the Nawab is incapable of having children, though his seraglio contains above 500 of the greatest beauties of India. All his children are by adoption, and they amount to about 60 in number, 32 sons and 28 daughters. Pregnant women are purchased or beguiled into the seraglio, where they lay in; if a son, a royal salute is fired, which proclaims the birth of a young Nawab; if a daughter, the public knows nothing; as women are in this country considered merely as a piece of necessary furniture, to ornament the Haram; and the birth of a daughter occasions no joy to the father. Judging from his own conduct, he foresees the treatment his child will experience when she is consigned to the animal love of another; that they will be merely slaves in purple and fine linen; loaded with jewels to please the eyes of their tyrants, and never allowed to step beyond the precincts of the Zanana, except on occasional visits to some female friend; nor ever suffered to behold the face of any man besides their masters, (for they cannot be called husbands without outrage to the term,) except through the latticed windows of their high walled prisons, called Zananas. The bridegroom was about thirteen, dark complexioned, and not handsome; the bride about ten, still darker, and still more ordinary. We went in the evening to the celebration; our party consisted of about four ladies and twelve gentlemen; we went all on elephants caparisoned. On the plains which border on the city of Lucnow, the Nawab had pitched many tents, but two large ones in particular, made of strong cotton cloth, lined with the finest English broad cloth,

cut in stripes of different colours, with cords of silk and cotton. These two large tents cost five lacks of rupees, or above 50,000*l.* sterling; they were each about 120 feet long, 60 broad, and the poles about 60 feet high, and the walls of the tents about 10 feet high; the walls of one of the tents were cut in lattice work, for the women of the Nawab's seraglio, and the principal native nobility, to see through. In front of the large tent destined for our reception, and for the reception of the principal nobility at the Nawab's court, was a large awning of fine English broad cloth, called in this country a *shumeeana*, supported on about 60 poles covered with silver; this awning, or *shumeeana*, was about 100 feet long, and the same in breadth. When we arrived, the good humoured Nawab received us very politely, and conducted us to one of the large tents destined for the men, where we sat for about an hour; he was covered with jewels, to the amount of at least two millions sterling; we then went out, and sat under the *shumeeana*, which was lighted up with a couple of hundred elegant Europe girandoles, and as many shades with wax candles, and many hundred flambeaux; the glare and reflection was dazzling and offensive to the sight; here were above a hundred dancing girls, richly dressed, who went through their elegant but rather lascivious dances and motions, and sung some soft airs of the country, chiefly Persic and Hindû Persic. About seven at night the bridegroom Vazeer Allee, the young Nawab, appeared loaded so absurdly with jewels, that he could scarcely stagger under the precious weight. We then mounted our elephants to proceed to a rich and extensive garden, which was about a mile off; the procession was grand beyond conception. It consisted of above 1200 elephants richly caparisoned, and drawn up in a regular line like a regiment of soldiers; about 100 of the elephants which were in the centre had castles, called *howdas*, lashed on their backs, which were covered with silver. In the centre was the Nawab mounted on an uncommonly large elephant, covered with cloth of gold, and a rich *howda* covered with gold, and studded with precious stones. On his right hand was the British resident at his court, Mr. George Johnstone, and on his left the young Nawab Vazeer Allee; the other English gentlemen and ladies, and the native nobility, were intermixed on the right and left. On both sides of the road, from the garden to the tents, were raised artificial sceneries of bamboo-work very high, representing bastions, arches, minaret, and towers, covered with lights in lamps, which made a grand and sublime display: and on each side of the procession, in front of the line of elephants, were dancing girls richly dressed (carried on platforms, supported by men called *bearers*) who danced as we went along. All these platforms were covered with gold and silver cloths; and there were two girls and two musicians on each platform; the number of these platforms were about a hundred on each side of the procession. All the ground from the tents to the garden, over which we moved along, was *inlaid* with fireworks, and at every step the elephants took, the ground burst before us, and threw up artificial stars in the heavens, to emulate those created by the hand of Providence; besides innumerable rockets and hundreds of wooden shells, that burst in the air and shot forth a thousand fiery serpents, which winded through the heavens, illuminated the sky, and turned a dark night into a bright day, assisted by the light of the bamboo scenery. The procession moved on very slowly to give time for the fireworks, which were inlaid in the ground to go off, and the whole of this grand scene was further lighted by above 3000 flambeaux, carried by men hired for the occasion. In this manner we moved on in stately pomp to the garden, which though only a mile off, we took two hours to reach. When we arrived at the garden-gate we descended from the elephants, and entered the garden, which we found illuminated by innumerable transparent paper lamps or lanterns of various colours, suspended to the branches of the trees. In the centre of the garden was a large edifice, to which we ascended, and were introduced into a grand saloon, adorned with innumerable girandoles and pendant lustres of English manufacture, lighted with wax candles. Here we had an elegant and sumptuous collation of European and native dishes, with wines, fruits, and sweetmeats; at the same time above a hundred dancing girls sung their sprightly airs, and danced

their native dances. Thus passed the time till the dawn, when we all returned to our respective homes, quite delighted and wonder-struck with this enchanting scene, which surpassed in splendour every sight of the kind beheld in this country; the affable Nawab rightly observed, with Asiatic vanity, that such a spectacle was never before seen in India, and never would be seen again. The whole expence of this marriage feast, which was repeated for three successive nights in the same manner I have described, cost above 300,000*l*.—Yours, &c.

For the Asiatic Journal.

ON THE PERSONS OF THE HINDOOS.*

THE colour of the Indians is generally either that of copper or of the olive, but both with various shades. It is not absolutely the proximity of the inhabitant to the equator, that determines his complexion in India; other physical causes, from differences which arise as by starts in regions equally distant from the sun, and it is in their complexion that less national generality is found, than in any other of the properties of their figure: some are almost black; but these are either inhabitants of the woods, or people inured to labour and fatigues uncommon to the rest of their countrymen.

The hair of the Indians is without exception long, fine, and of a jet black. The nose, if not always aquiline, is never buried in the face, nor with large distorted nostrils, as in the Coffrees of Africa, and in the Malay nations. Their lips, though in general larger than in Europeans, have nothing of that disagreeable protuberancy projecting beyond the nose, which characterises the two people just mentioned. The eyebrows are full in the men, slender in the women, well-placed in both. The eyelid is of the finest form,—long, neither opening circularly, as in many of the inhabitants of France, nor scarce opening at all, as in the Chinese. The iris is always black, but rarely with lustre, excepting in their children, and in some of their women: nor is the white of the eye perfectly clear from a tinge of yellow; their countenance therefore receives little animation, but rather a certain air of languor, from this feature. From the nostrils to the middle of the upper lip they have an indenture, strongly marked by two ridges, seldom observable in the northern Europeans, but often in the Spaniard and Portuguese; and from the middle of the under lip there is another such indenture, which loses itself a little above the chin: these lines, chiefly remarked in persons of their habits, give an air of sagacity to the men, and of delicacy to the physiognomy of the women. The outline of the face is various, oftener oval than of any other form, particularly in the women; and this variety of outline is another of the principal characters which distinguishes the Indian from the Tartar as well as Malay; whose faces are universally of the same shape; that is, as broad as they are long.

The texture of the human frame in India, seems to bear proportion with the rigidity of the northern monsoon, as that does with the distance from Tartary; but as in the southern monsoon heats are felt at the very foot of mount Caucasus, intense as in any part of India, very few of the inhabitants of Indostan are endowed with the nervous strength, or athletic size, of the robustest nations of Europe.

On the contrary, southward of Lahore we see throughout India a race of men, whose make, physiognomy, and muscular strength, convey ideas of an effeminacy which surprizes when pursued through such numbers of the species, and when compared to the form of the European who is making the observation. The sailor no sooner lands on the coast, than nature dictates to him the full result of this comparison; he brandishes his stick in sport, and puts fifty Indians to flight in a moment: confirmed in his contempt of a pusillanimity and an incapacity of resistance, suggested to him by their physiognomy and form, it is well if he recollects that the poor Indian is still a man.

The muscular strength of the Indian is still less than might be expected from the

* From Orme's Historical Fragments.

appearance of the texture of his frame. Two English sawyers have performed in one day the work of thirty-two Indians: allowances made for the difference of dexterity, and the advantage of European instruments, the disparity is still very great; and would have been more, had the Indian been obliged to have worked with the instrument of the European, as he would scarcely have been able to have wielded it.

As much as the labourer in Indostan is deficient in the capacity of exerting a great deal of strength at an onset, so is he endowed with a certain suppleness throughout all his frame, which enables him to work long in his own degree of labour; and which renders those contortions and postures, which would cramp the inhabitant of northern regions, no constraint to him. There are not more extraordinary tumblers in the world. Their messengers will go fifty miles a day, for twenty or thirty days without intermission. Their infantry march faster, and with less weariness than Europeans; but could not march at all, if they were to carry the same baggage and acccoutrements.

Exceptions to this general defect of nervous strength, are found in the inhabitants of the mountains which run in ranges of various directions throughout the continent of Indostan. In these, even under the tropic, Europeans have met with a savage whose bow they could scarcely draw to the head of a formidable arrow, tinged with the blood of tigers whose skins he offers to sale. Exceptions to the general placid countenance of the Indians, are found in the inhabitants of the woods, who, living chiefly on their chace, and perpetually alarmed by summons and attacks from the princes of the plains, for tributes withheld, or ravages committed, wear an air of dismay, suspicion, treachery, and wildness, which renders them hideous; and would render them terrible, if their physiognomy carried in it any thing of the fierceness of the mountaineer.

The stature of the Indian is various: the northern inhabitant is as tall as the generality of our own nation: more to the south their height diminishes remarkably; and on the coast of Coromandel we meet with many whose stature would appear dwarfish, if this idea was not taken off by the slimness and regularity of their figure. Brought into the world with a facility unknown to the labours of European women: never shackled in their infancy by ligatures; sleeping on their backs without pillows; they are in general very straight; and there are few deformed persons amongst them.

Labour produces not the same effect on the human frame in Indostan as in other countries; the common people of all sorts are a diminutive race, in comparison with those of higher casts and better fortunes; and yield still more to them in all the advantages of physiognomy. Prohibited from marrying out of their respective tribes, every cast seems to preserve its respective proportion of health and beauty, in sanity and ugliness. There is not a handsomer race in the universe, than the Banians of Guzerat: the Haramcores, whose business is to remove all kinds of filth; and the buryers and burners of dead bodies, are as remarkably ugly.

Nature seems to have showered beauty on the fairer sex through Indostan, with a more lavish hand than in most other countries. They are all, without exception, fit to be married before thirteen, and wrinkled before thirty—flowers of too short a duration not to be delicate; and too delicate to last long. Segregated from the company of the other sex, and strangers to the ideas of attracting attention, they are only the handsomer for this ignorance; as we see in them, beauty in the noble simplicity of nature. Hints have already been given of their physiognomy: their skins are of a polish and softness beyond that of all their rivals on the globe: a statuary would not succeed better in Greece itself, in his pursuit of the Grecian form; and although in the men he would find nothing to furnish the ideas of the Farnesian Hercules, he would find in the women the finest hints of the Medicean Venus.

If we consider the impossibility of a stranger being admitted into any one cast, to which a Bramin will administer any of his sacerdotal functions, and the universal restriction of marriage to persons of the same cast; we shall not be surprized to find that the Indian has preserved his physiognomy from a resemblance with any of his neighbours.

ASIATIC FRAGMENTS, ANECDOTES, &c.

(No. V.)

East Indies.

Europeans understand by the East Indies, all the countries and empires, which lying to the south of Tartary, extend from the eastern frontiers of Persia to the eastern coasts of China. The islands of Japan are likewise included in this denomination, as are all the Malay islands, in which the Dutch have such valuable possessions, and which extend to the southward as far as the coasts of New Holland, and to the eastward to lands unknown.

The dominion of the Great Mogul, to which the name of India can only with propriety be applied, are designated in Asia as well as in Europe, by the kingdom of Indostan; and although the Moguls are not masters of all the countries which are accepted under this denomination, yet there are very few tracts which have not formerly been, or which are not at present, subject or tributary to Mahomedans.

That part of the western side of Indostan, which is not bounded by the sea, is separated from Persia and the Usbeg Tartary by desarts, and by those mountains which were known to the ancients under the name of Paropamisus. The course of mount Caucasus forms its barrier to the north, and separates it from various nations of Tartars, from the Great and Little Thibet. Where mount Caucasus ceases, marshes and rivers divide it from the kingdoms of Tepra, Assam, and Aracan, and circumscribe to the eastward the dominions of the Mogul, until they reach the sea at Chittagong. The sea, from Chittagong to the cape of the peninsula of India, and from this cape to the dominions of Persia, forms the remaining boundary, and embraces more than one half of the kingdom of Indostan:* there are few empires of which nature has more strongly marked the outline.

The most northern parts of this empire laying in the 35th degree of latitude, and the most southern in the 8th, the distance from the northern to the southern extremity is more than 1,620 geographical miles; the greatest extent from east to west is about 1,500 miles.

* See Tavernier, also Mr. D'Anville's Map of India.

Parsees.

When the emigration of the Persians took place in the seventh century, soon after the conquest of their country by the Mahomedans, a number of these people found their way to India, and landing on the western coast, near Danoo and Cape Sejan, commonly called St. John's, were admitted by the Hindoo rajah, to settle in the adjacent country, and particularly at the village of Oodwara, which is still the chief residence of their priests, and the depository of their sacred fire brought by them from Persia. These people have now increased to about one hundred and fifty thousand families, dispersed in the cities and villages on the coast of western India, from Diu to Bombay, of which about six thousand reside in Bombay; which, reckoning four to a family, makes the Parsee population of Bombay about twenty-four thousand. Cultivating only the arts of peace, they may be said to be a distinct race from their ancestors; and though they have been settled for more than a thousand years, yet have hitherto refrained from intermeddling with politics; consequently they are the best of subjects, and demean themselves so as to give the governments under which they reside the utmost satisfaction.

With the Hindoo dress they adopted many of their customs, forgot their own language, and adopted that of their wives, (the language of Guzuret), which is now so general that not one in a thousand can speak any thing else.

The young men of good families are, however, taught to read and write English, but few of them think of learning Persian, or of paying much attention to their ancient history.

The opulent amongst them are merchants, brokers, ship-owners, and extensive land-holders. The lower orders

are shopkeepers, and follow most of the mechanic arts, except those connected with fire; thus there are neither silversmiths, nor any workers of the metals among them; nor are there any soldiers, the use of fire-arms being abhorrent to their principles; nor are there any sailors; the bulk of their population are weavers and husbandmen, and cultivators of the date, palmira, and mowa; and the distillers and venders of their produce in the sea-ports; many of them are ship and house carpenters; and in Bombay many of them are in the service of Europeans as dubeshs, and domestic servants.

Their charities are munificent and unbounded, relieving the poor and distressed of all tribes, and maintaining their own poor in so liberal a manner that a Parsee beggar is no where seen nor heard of.

Anxious to know every thing respecting the religion of their ancestors, the opulent Parsees of Bombay and Surat, have from time to time sent persons into Persia to collect books and notices respecting it; and have also invited many of the sect from Persia, some few of whom reside occasionally in Bombay.

The Parsee population is divided into clergy and laity (Mobed and Bedeen). The clergy and their descendants are very numerous, and are distinguished from the laity by wearing of white turbans, but they follow all kinds of occupations, except those who are particularly selected for the service of the churches, though they have no distinction of casts. A recent innovation, respecting the commencement of their new year, has formed them into two tribes, one celebrating the festival of the new year a month before the other, which causes their religious ceremonies and holidays to fall also on different days. This at present is only subject for merriment, but may in time cause dissention and separation, as each party have an opulent family at their head.

Those who adopted the new æra (in compliance, I believe, with Molna Firaun, the high priest of Bombay, who has himself been in Persia), are styled Kudmee, and jocularly Chureegurs. *i. e.* bangle makers, workers in ivory, and other materials for women's ornaments, The tribe of Chureegurs being amongst the foremost of those who adopted the new computation, those who still adhere to the old method are stiled Rusmee and Sher si, and still form the bulk of the population.

Some of their ancient ceremonies have, however been preserved inviolate; and particularly those concerning the rites of sepulture, which are correctly described in "Lord's Account of the Parsees," if we except his statement about the removal of the body. No person of a different sect is allowed to approach, or any stranger allowed to witness the obsequies; but it does not appear that the bodies should be exposed to any thing but the elements; a private sepulchre, built some few years ago, having an iron gate at top to prevent the ingress of birds of prey.

They have a few plain and unornamented churches, where they assemble for the purpose of prayer; they are crowded every day by the clergy, but the laity only attend on certain days.

It has been already said that there are no sailors amonst them; but the Persians were never a maritime nation; they profess, however no abhorrence to a sea life, for many of them embark as traders, on the most distant and perilous voyages, and take part in all shipping speculations, and are bold and enterprising merchants, though few of them settle out of their own country, (so they call the western part of India, from Diu to Bombay,) yet there is not a place where they do not occasionally visit, and often reside in for years; thus they are found in China, Bengal, Pulo Pinang, Pegu, Madras, Ganjam, Ceylon, and at most places on the Malabar coast, but have no settlement to the south of Bombay.

Though they follow not the profession of arms, yet they have no hesitation in following the armies into the field in quality of sutlers, shopkeepers, and servants to the officers.

To conclude they are a highly interesting people. The philosopher will contemplate in them the descendants of a mighty nation, whose empire once extended from the shores of the Mediterranean to the frontiers of India, and rejoice to find them neither deficient in virtue or morality.*

* Pope's Revelations of Ardai Viraf.

POETRY.

TO THE SEA-BIRD.

By E. A. Kendall, Esq. F.S.A.

Pleased I behold thee, rover of the deep,
That brav'st the terrors of this raging world,
And follow still, with curious eye, thy sweep,
O'er emerald waves, with snowy heads, y-curl'd;
Pleased I behold thee o'er the expanse ride,
Now pois'd aloft amid the lurid skies;
Descending now the watery valleys wide,
Now rising slow, as slow the billows rise;
Pleased I behold thee; and think blest it were,
Like thee the dark seas dauntless to explore;
Like thee, to toil unwearied, and to dare,
Nor with a coward's haste to seek the shore:
Tempt, while I please, the fortunes of the day,
Then spread the wing, and bear, at will, away!

THE BUSUNT.

From Broughton's Specimens of the Hindoo Poetry.

[The pangs of absence are sung in this little poem by a woman, who observes the general joy diffused around her, upon the approach of the Busunt or Spring.]

The lively drum is heard around;
The tamborine and cymbals sound:
I in the flames of absence burn,
And languish for my love's return.

The women all around me sing,
And own th' inspiring joys of spring;
While I, from darts of ruthless love,
Never ending torments prove.

The amorous Kokil strains his throat,*
And pours his plaintive pleasing note;
My breast responsive heaves with grief,
Hopeless and reckless of relief.

When *he* again shall glad my hours,
Then, girl, I'll take thy blooming flowers;
But, now my love is far away,
Where should I place thy Busunt gay?*

ILLS OF LIFE.

From the same.

Your beast perverse; your man a rogue;
Your heart to amorous courses given;
Your friend a fool; your master mean;
Can greater plagues be sent by heaven?

Dinner to seek abroad; a house
Built in some little dirty town;
Long journeys on cold rainy days;
Are miseries all mortals own.

Yourself with wantons sporting oft,
While wife at home to love is given;
An itch to cheat, oppress, or rob;
A child, whom from your love you've driven;

Folly, old age, a sickly frame,
A lack of means, a memory gone;—
These, these are hell, a present hell;
Talk not of others still to come!

FALSE ECONOMY.

From the same.

[It is usual for the Buniyas, or merchants, to distribute alms to beggars, by giving a handful of flour to each as he passes their door. A frugal Buniya, who had a beautiful young daughter-in-law, appointed her to deal out this daily pittance; pleasing himself with the idea, that as her hands were much smaller than his own, he should at once save his grain, and not lose his reputation for charity. The event is told in the following stanza: and it is common to this day, when a man gives charity with an ill grace, to say, "he gives it by his daughter in law."]

The frugal Father's sage commands
Dealt by his daughter's smaller hands,
His daily pittance to the poor.
Bad thrift;—her beauty to behold,
In beggar's guise both young and old,
Come thronging round the crowded door.

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* The Kokil, the ring-dove of Hindoo poesy, is a small green bird, whose note is peculiarly melodious in the spring, and is supposed to be a powerful incitement to love.

* It is usual on the day of the Busunt, the 20th of the month Mang, from which the commencement of spring is dated, for the Maulins, or gardners' wives, to bring to their mistresses little offerings of early flowers, fruits, tufts of green barley, &c.; which are also termed Busunts, and which the ladies commonly present to their husbands.

REVIEW OF BOOKS.

Travels in Beloochistan and Sinde, accompanied by a Geographical and Historical Account of those Countries, with a Map. By Lieutenant Henry Pottinger, of the Hon. East India Company's Service; Assistant to the President at the Court of his Highness the Peishwa; and late Assistant and Surveyor with the Missions to Sinde and Persia. 4to, pp. 423. Longman and Co. London, 1816. £2. 12s. 6d.

The decided manifestation, in the years 1807 and 1808, of the views of the French government against British India, led to considerable diplomatic activity, both at the Court of London, and at Fort William, in attempts to secure the friendship, or provide against the hostility of the powers to the west of the Indus; that route presenting the only practicable opening for any assaults to be performed or prompted on the side of Europe. It is to this political state of things that we owe the information acquired concerning Persia, by Mr. Morier and Sir Gore Ousely; and the account of Cabul by Mr. Elphinstone, and the history of Persia, by Sir John Malcolm; both reviewed in the first and second numbers of this Journal;* and from the same source we receive the present volume by Lieutenant Pottinger.

At the close of the year 1807, an embassy from France was received at the court of Persia with distinguished marks of friendship and attention; and the emissaries of the former nation were diligently employed in the acquisition of all such local information as could, in any way, tend to secure the ultimate success of the object in view. In the month of February, 1808, Sir John, then Brigadier General, Malcolm, was deputed by the governor general of India, the Earl of Minto, as envoy to the Persian monarch; and about the same time, Sir Harford Jones was dispatched from England, in a similar character, but furnished with credentials from his Majesty; a measure adopted to afford him, in his negociations, a weight and dignity to which the representative of a secondary government, however distinguished and exalted, could have no pretension.

The instructions with which General Malcolm was provided, pointed out to him in general terms, the advantages to be anticipated from making every possible exertion to ascertain the nature and resources of those countries through which an invading European army might advance upon Hindustan, and likewise sanctioned his employing, in the capacity of political assistants and surveyors, any number of officers he should deem requisite, to give full effect to this suggestion.

Subsequent events, to dwell upon which is needless here, induced the supreme government of India to recal Sir John Malcolm at that time; nor was his mission renewed till the latter end of the year 1809, when he arrived, a second time, at Bombay, on his way to the Persian capital. Lieutenant Pottinger, and Captain Charles Christie, of the 5th regiment, Bombay native infantry, were then just returned from Sinde, whither, on the former mission of Sir John, they had accompanied him; and, on being now made acquainted with the proposed plan, of exploring the regions between India and Persia, they volunteered their services to attempt the tour which is detailed in the volume before us.

Their services being accepted, and the sanction of the government of Bombay being obtained,

* See above, pp. 49, 155, 160.

Lieutenant P. was directed by General Malcolm to place himself under the orders of Captain Christie, who received his instruction from the General. The instruction was of an indefinite tenour, suited to the nature of the service to be proceeded upon. It called the attention of the adventurers to such leading points as were most likely to merit the attention of government, and meet the intention of the policy in which the measure had originated; but at the same time fully authorized them to act, with regard to their progress, mode of travelling, ultimate destination, and, in fact, all minor points, as the circumstances they were placed in might render advisable; and was only peremptory in directing them to regard their personal safety beyond every other consideration.

It has been generally remarked, that a principal obstacle to the accomplishment of similar undertakings to that on which Captain Christie and Lieutenant P. were bent, had sprung up at the very commencement of them, owing to the great difficulty attendant upon an advance from the sea coast, where most Asiatics are known to be more suspicious of, and uncivil to European strangers, than at some distance inland. An arrangement, therefore, to effect their first outset from the port at which they might land, was considered of the last importance; and they were fortunate enough to make one to which no possible objection could exist.

A Hindu merchant, of great respectability and wealth, who had been for many years preceding, the contractor for supplying the governments of Madras and Bombay with horses, offered (upon being consulted) to furnish them with letters and bills, accredit them as his agents, and as dispatched by him to Kelat, the capital of Beloochistan, to purchase horses. From that city, he observed, they could follow such route as circumstances should point out to them; and, in the extreme case of being forced to fly, they could take a different road, toward the sea coast, from that which they had travelled in going, and thereby secure, almost beyond a doubt, a sight of a great portion of the country. Bills and letters were accordingly given them, and, for greater plausibility, an actual agent of the merchant was appointed to accompany them as far as Kelat. Captain Christie and Lieutenant Pottinger also selected two Hindus, who were bound to secrecy by promises of large presents, and whose fidelity and honesty proved most exemplary. In every other respect, the most liberal provision was made for the travellers, and in this state of preparation they embarked in Bombay harbour on the 2d of January, 1810, and landed on the 16th of the same month at Sonmeany, at the mouth of the Poorally, on the coast of Sinde. In this manner commenced Lieutenant Pottinger's journey through Beloochistan and a part of Persia; a portion of which, however, he performed in the disguise of a Mahommedan pilgrim.

Our limits not permitting us to accompany him through the amusing and interesting account of his progress, we hasten to the first chapter of the second part of his volume, the part which contains one of the two divisions of the contents; namely, the geography, statistics, and history of Beloochistan and Sinde. In this first chapter, we find the following brief account of Beloochistan and its inhabitants:—

Beloochistan, or the country of the Belooches, comprehends all that space within latitudes 24° 50′, and 30° 40′ north, and longitudes 58° 55′, and 67° 30′ east; in addition to which there are one or two of its provinces stretching far east and west, whose exact longitudinal limits cannot be defined, until I come to treat of them respectively.

The whole of this vast tract constituted at one time the dominions of Nusseer Khan, father of the Khan of Kelat, on whom it was bestowed in the year one thousand seven hundred and thirty-nine by the Persian conqueror Nadir Shah, together with the title of Beglerbeg of all Beloochistan. On the authority of that grant, I have availed myself of that general term; but as the political state of the country has undergone an entire change since the period of its date, it becomes requisite to establish geographical divisions in attempting a description of it.

The boundaries of Beloochistan, in its largest acceptation, are to the southward, the Indian ocean or Erythrean sea; northward, Seistran and the country of the Uffghans; westward, the provinces of Laristan and Kirman; and to the eastward a part of Sinde and Shikarpoor, a district in the hands of the king of Kabool. Within these bounds are comprised the under-mentioned divisions, which shall be discussed in the order in which they stand; and I afterwards purpose annexing a summary account of the present state of the province of Sinde, of which the ruling chiefs and a large portion of the population are Belooches.

Division I. The provinces of Jhalawan and Sarawan and the district of Kelat.

Division II. The provinces of Muckran and Lus.

Division III. The province of Kutch Gundava and district of Hurrund Dajel.

Division IV. Kohistan, (the country of hills), or the Belooche country west of the desert.

Division V. The desert.

Division VI. The province of Sinde.

It may be readily conjectured, that in regions of such great extent, the features would vary so much, as to render inadequate any essay that might be made, to give a correct delineation of the whole under one head: and I shall therefore confine myself in this place, to an introductory view of the principal mountains, their connection with those of circumjacent kingdoms, their various ramifications and tendencies within the limits of Beloochistan, their comparative altitude, length and breadth, with such other facts of a general nature as may enable my readers to comprehend with greater facility, the more detailed remarks that the divisions will severally demand.

In traversing Beloochistan from the province of Lus to the frontiers of Uffghanistan, between the sixty-fifth and sixty-seventh degrees of east longitude, I found it uninterruptedly mountainous. This stupendous range, to which I venture to assign the appellation of the Brahooick mountains, from the people (the Brahoośs) who inhabit them, is the primitive root of almost all the others, and consequently, merits peculiar attention in this disquisition, in which, influenced by its formation, though contrary to usual practice, I shall commence from the southward, and trace its progress from the coast to the inland extremes.

It springs abruptly to a conspicuous height and grandeur out of the sea at Cape Mowaree, (Monze) in north latitude 25°, east longitude, 66° 58′, whence it assumes a north-easterly direction for ninety miles; it there projects a ridge east by north, the base of which is washed by the river Indus at the fort of Sehwan; however this is so secondary in size that it only deserves notice as being the most easterly point of the whole. From the separation of this arm, in latitude 25° 45′ to that of 30°, the primitive body runs due north; now marking the western limits of Sinde, Kutch Gundava, and a part of Seeweestan, as it formerly did that of Hindoostan; it thence once more regains its original inclination to the north-east, and decreases in magnitude and elevation so rapidly, that in the course of forty miles it sinks to a level with the hills inhabited by the Kaukers and other Uffghan tribes, with which it becomes incorporated.

Were I to extend my inquiry farther in this quarter, or had I begun this examination of the Brahooick mountains from the upland regions to which I have followed them, I hope with sufficient explicitness, instead of the coast, it is evident, that in either cases, it would be necessary to investigate the origin of the hills with which they unite; but, as doing so would induce a lengthened dissertation totally irrelative to the geography of Beloochistan, for that, and other reasons, I purposely avoid interfering with the subject.*

* The geographical and historical account of Uffghanistan lately published by the Hon. Mr. Elphinstone contains the fullest particulars of these mountains, &c.

In the second chapter of the same portion are some historical remarks on the Belooches:—

In the course of my investigations on the Belooches, it has frequently occurred to me, that there was no spot in the ancient hemisphere, the interior of Africa excepted, that had remained so long unexplored, and of which such erroneous and contradictory opinions had been formed, as the first division of Beloochistan. The Greeks, from whom we possess the earliest knowledge of the western frontiers of India, were either so totally ignorant of this tract, or found it by report to be so inhospitable a waste, that they have been almost silent with respect to it; they saw that it was mountainous, and learned that in it there was a race of natives, whose manners and occupations resembled the Scythians, whence they denominated it Indo-Scythia, though that would seem to have been only strictly applicable to a very small portion of the south-eastern skirts of the Brahooick range, in common with a tract extending to the confines of the province of Mooltan, the ancient Malli; and in fact, I am very dubious whether the upper parts of it were at all inhabited until long subsequent to the period of the Macedonian conquest, my reasons for which I shall hereafter assign.

Alexander himself, on quitting Pattala, (said to be Tattah) on the Indus, proceeded with his army, through the dominions of the Arabitæ, a part of the present province of Lus, and in it forded the Arabis (Poorally) river. To the westward of that diminutive stream, he traversed the territory of the Oreitæ, and thence, crossing over one range of mountains, he entered the province of Gedrosia (Mukran), in which his troops were thinned by the accumulated hardships of thirst, famine, and fatigue. This march was incontestably to the southward of the Brahooick chain, and had the Greek historians been even less explicit, the nature of the country alone must have decided any question that might have arisen on this point.* Craterus, who was charged with the guidance of the heavy baggage and invalid soldiers, by Arachosia and Drangiana, as certainly marched far to the northward; for those provinces are included within the modern ones of Kandahar and Seistan, no part of either of which lie even in a parallel of latitude with Beloochistan. We may beside unequivocally conclude, that as that General was purposely detached to shun the desarts of Gedrosia (Muckran), he would not shape his progress through a region in which all the obstacles experienced by the divisions headed by the King in person, would have been augmented, by the labour of forcing a passage among inaccessible cliffs and deep defiles.

Posterior to the Greek invasion, and the partition of that vast empire on the demise of Alexander, we meet with no further mention of these countries, unless in the unconnected and fabulous legends related of the Guebres or ancient Persians, for a lapse of nine centuries and a half. The Hindoo emperors of India were obliged to pay tribute to, and acknowledge the supremacy of, the monarchs of the successive dynasties of the Seleucidæ, Arsacidæ, and Sassanides, who sat on the throne of Persia, within that round of time; so that the communication between the two nations must have been defined and frequent, but being carried on either by sea or the northern route of Khorasan, it threw no light on the intermediate countries that form the basis of this inquiry, and they sunk into their original and possibly merited obscurity.*

Ninety-two years after the epoch of the Hijree†, the Kaliphas of Bagdad, incited by the combined motives of zeal for the Mohummudan faith, and desire to revenge an insult that had been offered

* Had Alexander come to the Poorally river in the rainy season, he would in all likelihood have found it unfordable. My Diary of the 30th January will demonstrate this fact, and had he once entered the province of Jhalawan, the most southern exit his army would have found, had been the road from Khozdar, in latitude 27° 54′ north, to Punjegoor. Vide Map.

* In an ancient manuscript History of Guzeratte, I find that Shah Beheram Gore, King of Persia, came to the former kingdom in disguise, and returned through Neemroz, the present province of Seistan, with a large army, having been discovered in India on a hunting party. This was in the reign of the Hindoo Emperor Rajdeo, and in the fourth century of the Christian era. Seistan was then a fertile and populous country, now it is a desolate sandy waste.

† A. D. 677.

to their dignity by the idolators* of Sinde†, dispatched an army against that kingdom, by the same route that the Macedonian hero had selected on his return to Babylon, nearly one thousand years antecedent. This force is expressly stated to have kept close along the sea-coast, that it might be certain of a supply of water, which is always procurable, by digging a foot or two deep in the sandy beach; it consequently knew nothing of the inland regions, nor was any attempt made, as far as I can learn, during the administration of the caliphas of the houses of Oommyuh and Abbass to explore them.

When Muhmood, the successor of Subuktaghi, the first Sultan of the Ghaznuwee dynasty, in the plenitude of his power, turned his arms towards India, he subjugated the whole of the level districts, west of the river Indus, to the very base of the Brahooick mountains. His son Musaood, extended these conquests still more westerly into Mukran; he adhered, however, to his father's plan of not ascending those lofty ranges; and all subsequent invaders of Sinde seem to have been guided by their example; or if they did penetrate a short way, it was merely a casual inroad, generally made in pursuit of a discomfited enemy, and without any aim at a permanent conquest.‡

This is ascribable to two distinct causes, the poverty and the imperviousness of this tract; the former was so well ascertained at an early date, that the compiler of the Chuch Namuh, the best history of Sinde extant, states that those infidels (Hindoos) who would not conform to the doctrines of the Koran, were driven to the mountains, there to perish by famine and cold. Wilds thus spoken of, I presume were void of people, and from this epoch I shall hereafter fix the first regular settlements in the provinces of Jhalawan and Sarawan, or at least their most elevated districts. Ample proof of the second operative cause may be collected from all that I have noticed regarding these regions; and were it necessary to strengthen what I have advanced, on the certain grounds of ocular demonstration, numberless instances might be adduced, of their having been retired to as a place of temporary refuge, during the wars between the Tartar, Puttan, and Mogul competitors for the sovereignty of Hindoostan and Persia. So lately even as the year 1806, Prince Kysur, one of the royal family of Kabool, fled to Beeloochistan, and his security in those fastnesses was so confessedly understood, that no means were taken to pursue him, although unattended by any force. In conclusion I may observe that the utterly unknown state in which this country has heretofore remained, is evident from a glimpse of all maps either ancient or modern, that include it. In none of them has it any designation* except in the term Belooghees, or Bloatchees, which are mere orthographical corruptions of the denomination of one class of its natives, in my opinion, less proper than the Brahooés, (who are all mountaineers,) to bestow a name on the land they inhabit.

We are now arrived at that period when some indistinct memory of the historical events of Beloochistan begin to be orally preserved; but to render them intelligible, it becomes not merely proper, but indispensible, that I should subjoin a few words on the origin of the various classes of the natives, the reasons and date of their primary emigrations to this uninviting land, and the manner in which they seem to have apportioned the soil. My readers will perceive, as they advance, that my sentiments on these points are

* Hindoos, such is the appellation bestowed on them by Mohummudan writers.

† Vide Division V. Chapter XII.

‡ Musaood, the son of Muhmood, had collected an army in Muckran, to invade these countries, but the appearance of the Seljuke Tartars, who then first began to make a figure, called him off.

* Major Rennel has carried the province of Mukran to so high a degree of north latitude, that it includes both Jahlawan and Sarawan, but the information obtained by that able, and generally correct geographer, relative to the southern parts of Sinde, and the countries westward of that province, seems to have been defective, and has led him into mistakes. I may perhaps occasionally differ very materially both from him and Monsieur d'Anville, who is just here in fewer errors, but I have neither the abilities nor the wish to criticise the valuable geographical labours of those learned authors in any degree; my aim is to detail facts as I found them. The inhabitants may have changed since the days of Alexander, the face of the earth cannot reasonably be supposed to have done so, and as I have seen the latter, I may claim, without arrogating to myself, a right to speak positively.

mostly conjectural. More cannot be expected of people destitute of letters, and that spirit of curiosity which leads less barbarous tribes to investigate whence they sprung. I have not however neglected to draw my information from the best sources, and to exclude all that was fabulous and uninteresting.

As neither the Beloochekee or Brahooekee are written languages, all accounts are traditional, and entitled to little credit. The Belooches, or people who speak the former, ascribe their own origin to the earliest Mohummudan invaders of Persia, and are very desirous of being supposed to be of Arabian extraction. They spurn the idea, usually entertained, that they are descended from one stock with the Uffghans; and a circumstance which they always urge, almost demonstrates the truth of this denial, namely, their proximity to that nation, and their nevertheless speaking a distinct dialect.

I am not, however, by any means willing to admit, implicitly, their claims as the first propagators of Islamism, an honour to which every petty tribe aspires; at the same time, there can exist little doubt, but they came from the westward. The affinity of the Beloochekee to the Persian language, affords, of itself, strong evidence in favour of this position; to back which, we still see that the majority of the Belooche nation dwells on the western frontier; a fact to which, they say, Beloochistan owes its present name; for Nadir Shah, who conferred the title of Beglerbeg on Nusseer Khan, knowing more of that people than the Brahooés, named the country after them. Admitting this minor question, of their having migrated from the westward, to be established, the principal one stands yet undecided. Under what description of the natives or conquerors of Persia are we to range the Belooches? My unacquaintance with any of the Turkish or Tartarian dialects, deprives me of one great clue to a solution of this query; but as neither their features, their manners, nor their language, bear the smallest similitude to those of Arabs, I reject them totally.

In the beginning of the fifth century of the Hijree, the Selduke Tartars appeared, for the first time, in Khorasan; and, in the short space of ten years, their leader, Toghrul Beg, wrested that kingdom from the house of Ghaznuwee. It was ceded to his successor Alp Aarslan, and constituted a part of the Seljukide dominions, until the extinction of that race, about one hundred and fifty years posterior to Tughrul Beg's having assumed the title of Emperor. Within this lapse of time, the Belooches are alluded to, both by that general term and particular tribes; and what is even more decisive, as dwelling in the very districts which they people at this hour.

We might suffer ourselves to be arrested by many of the anecdotes and other alluring parts of Lieut. P's. volume; but preferring, in our brief notice, to bring distinctly before our readers the two countries to which it relates, namely, Beloochistan and Sinde, we pass at once to those chapters in which the latter is introduced to us by the author. Sinde, is described by Lieutenant P. as the sixth division of Beloochistan. It is a tributary government to the latter country. From Sinde, it will be remembered Captain C. and Lieutenant P. were on their return, when they met Sir John Malcolm, and engaged in the new expedition:—

The causes that led to the mission of the King of Persia in 1808, rendered a similar precaution necessary on the part of the supreme government of India with regard to the rulers of Sinde; and Nicholas Hankey Smith, Esquire, of the Bombay Civil Service, then resident at Bushire, was selected by the Right Honourable the Governor-general to fulfil the duties of Envoy. Henry Ellis, Esq. Bengal Civil Service, was nominated his first assistant; Lieutenant Robert Taylor of the Bombay Native Infantry, and myself, the second and third assistants. Captain Charles Christie to command the escort. William Hall, Esquire, surgeon, and Captain William Maxfield of the Bombay Marine, marine-surveyor. Preparations were made at Bombay in the early part of 1809, in a suitable style of magnificence, and the Maria, country ship, was hired for the conveyance of the envoy and his suite to the port of Kura-

chee, whither the Honourable Company's cruizer, the Prince of Wales, Captain Allen, and three armed gallivats, were ordered to attend her.

In the eighth chapter Lieutenant P. gives us a description of Sinde, and some account of its history, together with his views of its political importance to Great Britain:

The province of Sinde is bounded on the north by the province of Kutch Gundava, the district of Skikarpoor and the territories of Buhawul Khan, commonly called Daood Pootra; to the southward it has the Indian ocean and a part of the country of Kutch Booje; eastward an extensive desert separating it from the kingdoms and provinces of Agimere, Marwar, Oudipoor, Joudpoor, Bickaneer, &c., and westward, the provinces of Lus and Jhalawan.

The resemblance which this country bears to Egypt is so great, as to strike the observer with surprize; a level plain, with a noble river fertilizing each bank to a certain distance, when the face of the earth becomes on one side a sandy desert, and on the other, a pile of barren mountains, that are quite as inhospitable both as to soil and climate.

The natural situation of this province, as lying on the western frontier of the British possessions in India, and the grand barrier which its river would oppose to an invasion from that quarter, combined with the facilities that the very same obstacle would afford to our governments, as masters of the ocean, in carrying on such millitary operations as the advance of any hostile power towards Hindustan should call for, ought always to render Sinde an object of vast political consideration; while its contiguity to Guzaratte and other countries, that have been for some years subject to the executive authority of the British East India Company, seems to have entitled it, even as a point of curiosity, to a stricter investigation of its history and geography, than has yet been bestowed upon it. This has doubtless, with regard to the latter question, principally resulted from the unexampled jealousy of the chiefs, who have governed it for thirty years past, and who still persevere in the same suspicious policy. My recent examination of Beeloochistan having, however, led me to make some trifling historical inquiries regarding Sinde, because it adjoins the former kingdom, and more especially as a part of the natives of both are descended from one common stock, I am induced to insert a short abstract of the result of them, wishing it, however, to be understood, that I do not by any means offer it to the public as a conclusive account, but rather one that may possibly assist future investigators. When I originally began to dedicate my leisure hours to these inquiries, with a view to publishing, it was my aim to have collected and written a copious history of Sinde; but as I soon discovered it would have formed a large volume of itself, and moreover that the trifling manuscripts I had procured on it, for the last two centuries, were very imperfect, and that the other topics included in this work would afford me ample employment, I was deterred from the attempt, and am now so conscious of the slight knowledge I possess on that subject, that I should entirely omit this chapter had I not in various preceding places made reference to its contents.

In the fourth century before the Christian era, the province of Sinde first became known to the Greeks, by the refusal of the troops to follow Alexander into India Proper; who was consequently induced to drop down the Indus, until he came to the ocean. At that period we are informed, that the regions through which he passed, from the Punjab to the sea, were the seat of several governments, of which the most northern was the Sogdi, supposed to be the present fortress, or city of Bhukor, built on an island in the centre of the Indus, and having the two towns of Sukor and Rohree as its suburbs on each bank of the divided stream. The Ayeen Akberry informs us, that this place was afterwards called Munsoorah; but that was most probably a mere temporary title bestowed on it by the Arabian conquerors of this country*, in consequence of a victory obtain-

* Munsoor, in Arabic, signifies either victorious or defended. Perhaps from the strength and situation of Bhukor, the last is the meaning we ought to assign to it; but this is mere surmise as well as that in the text. Monsieur d'Anville thinks Munsoorah was lower down the river; and my conjecture is equally applicable to the scite he fixes upon, or possibly it was called Munsoorah, after the Kalipha "Ul Munsoor," in whose reign he states it to have been added to the dominions of Bagdad.

ed there over the native Hindoos. It is yet a place of some note, although the fortifications have fallen into decay, but at what period it obtained its present name of Bhukor no record is discoverable. I find it so mentioned in the year of the Hijree 416, (A. D. 1001,) when it was taken possession of by the army of the celebrated Emperor Muhmood of Ghuznee, having some years before been given up to the native chiefs by Ul Kadir Billa, the twenty-fifth Kalipha of the Abasside dynasty; who was the last that held any territories to the westward of the present empire of Persia.

Alexander rebuilt the capital of the Sogdi, and having left a garrison in it, proceeded to the territories of a chief called Musicanus, which are so clearly and incontestably identified with the present district of Chandookee, that it would alone demonstrate the authenticity and correctness of the histories of those days.

I have before alluded to the extraordinary fertility of this district and the river that encircles it, and accordingly we find that the ancients here fixed a spacious island, formed by a stream that rejoined the Indus, on which they bestowed the appellation of Prasiane or the verdant.* The name of the ancient capital of this tract is not expressly stated; and Minnagara, which D'Anville gives us, is doubtless intended for Meeannuggur, or the centre city†, but for my own part I have been unable to discover any place that corresponds with the site he allots to it.

The chief town now-a-days is Larkhanu‡, which lies on the river of the same denomination, and is a post of great importance to the Sindian Umeers, as they there first levy tols on merchants entering their dominions; beside keeping a considerable garrison stationed there to guard against the encroachments of the Belooches of Kutch Gundava.

While Alexander remained with Musicanus, he undertook expeditions against two chiefs, called Oxycanus and Sambus, which latter dwelt among mountains stated to be immediately adjoining the principality of the former; and it is therefore evident that he was the head of the tribes who then inhabited that chain of mountainous districts that run easterly from those of Jhalawan, and touch the Indus at Sehwan.* In fact there are no other mountains or even hills in the neighbourhood to the westward of the river; and on the eastern side lies a level plain until we cross the desart and reach the hills of the Rajpoote territories in Hindoostan. After the subjugation of one, and the death of the other of these chiefs, the Macedonian hero returned to the river, and, as we are informed, built a citadel at a commodious and commanding point; from which particular notice I have no scruple in saying that it must have been at the present Sehwan, that fortress being seated on a high hill that overlooks the ferries across the Indus and Larkhanu rivers, and other-

* I have great pleasure in stating, that I was not aware of this circumstance until after I had made my previous remarks on the district of Chandookee, as it not only corroborated my own information, but established a remarkable coincidence with ancient geography. The word Chandookee, implies, in the present dialect of Sinde, literally silvery, that is, by metaphor, opulent or beautiful to the eye. Had I extended my remarks to the rivers of the Punjab, I could have adduced proof that wherever our geographers have departed from the ancient they have fallen into mistakes.

† Minnagara, or Meeannuggur, from Meean the middle, and Nuggur a city. This d'Anville speaks of as the modern capital.

‡ I have fruitlessly endeavoured to trace the origin of Larkhanu, in hopes to identify it with some former place. Lar, in Shanskreet, means saliva; and Khanu is a dwelling, in modern Persian. Were we to apply the former figuratively, to the ooze or mud of the river, we have a local fact established, as the natives manure the adjacent districts with it.

* I cannot sufficiently express my regret at my own unacquaintance with the language in which the originals of the subjects I am now considering are written. To the extreme kindness of a learned and esteemed friend, I am indebted for the interpretation of various details I have touched upon, and I have also made every use of the labours of Monsieur d'Anville, and Dr. Vincent. I am led to make these remarks by a very striking similarity that I have just observed between Musicanus and Moo, Shewas. The two latter are the names of contiguous districts, lying exactly where we are told the Greeks found that chief's territories; and it is usual to this day to connect them. I am so fully aware of the general futility of etymological researches, that had I even been qualified to make them, I should have dedicated little time to that object; but in this instance the resemblance is too obvious to escape notice. Dr. Vincent alludes to the same words without being aware that they are the names of districts, instead of a title, as he will have them. The learned divine has confounded Sewee, the capital of Seweestan, with Sehwan on the Indus; and naturally finds it impossible to reconcile the accounts of Arrian and the Ayeen Akberry.

wise admirably situated to awe the surrounding tracts.

The land and water expedition then moved to Pattala, lying at the head of the Delta, formed by the branches that river separated into; but to the ancient description of this position there does not exist, at the present day, the most remote affinity in any part of Sinde, and whether we are to place it at Tattah or Hyderabad appears to me equally dubious.*

During the halt of the forces at Pattala, the King himself made two excursions with a part of his fleet to the ocean, and visited, by Arian's account, the only two mouths of the river. It is very remarkable that the same two mouths, the most easterly and westerly were navigable within these thirty years, and no others, and had not the dyke at Allee Bunder been erected, as I have mentioned in the preceding chapter, they would have both been so at this hour.

When every necessary preparation had been made for the march of the troops through the provinces of Lus and Mukran, the fleet was placed in charge of Nearchus, with orders to put to sea, and eventually join the land forces at Babylon. To follow the vessels in their progress down the river and along the coast of Sinde, till they arrived at the promontory Eirus, now cape Monze, the western extremity of that province, would be quite irrelative to my purpose; and I shall dismiss this subject by adducing two more undeniable proofs of the veracity of the Greek historians. One, the alarming turbulence of the sea at the conflux of the fresh and salt water, of which I have taken notice in an early part of this volume†; and the other, the absolute identity of the port of Kurachee with that which Arian denominates Krokala. The present name of the district, in which Kurachee is situated, I learn from a native manuscript, written in 1809, to be Kukrala; and I have reason to imagine that the very modern appellation bestowed on this harbour of Khoor Allee, is a bigoted corruption of that word.

We can by no means attempt to do that justice to this volume which would consist in enumerating to our readers the multifarious and minute information which it contains, relating to the countries and nations with which the author's route brought him acquainted; and we confess that this duty has appeared to us the more difficult, and almost impracticable, from the endless, and we must add, absurd particularity with which the table of contents has been drawn up. We had thought of extracting a specimen; but to those who consult Lieut. P's book, the error will be but too conspicuous, and to others it is of no importance. It is earnestly to be wished that makers of books would understand, that a table of contents can scarcely be too brief and perspicuous, conveying, as it were to the eye, as well as to the mind, an unperplexed and rapid view of the principal features of a work; while an *index* can scarcely be too full. What a mistake is not committed in this instance, when, on the one hand, we have no index whatever, and, on the other, a table of contents so abundant and so confused, that it needs an index for itself.

The present work has been arranged after the plan of Elphinstone's account of Cabul, and we find in it some other resemblances also. Lieut. P. like Mr. E. is a large innovator in orthography; but unfortunately, he is not a follower of the latter; and hence the reader of both volumes will have some difficulty to know when the two travellers are or are not speaking of

* The great length of two hundred and ten miles, which Major Rennel assigns to the Delta, is only to be reconciled by supposing that the sea has encroached above two degrees on the coast; and that even after we have placed Pattala at Hyderabad. From Tattah to that city Captain Maxfield found the distance, by actual survey to be, by the course of the river, but fifty-three miles; and an intelligent Hindoostanee man who went from Kurachee to Tattah by water with the heavy baggage of the mission, estimated the passage at thirty or forty Sindian Kos, after he entered the large river, which he did at Dharajay Bunder. The utmost we can allow for this is fifty miles, and I have before me a medium of information acquired from above two hundred natives of the lower parts of Sinde, that fixes Tattah seventy-nine miles from the sea. This I deem conclusive, but should others be still sceptical, the latitudes of Kurachee and Tattah will demonstrate the fact.

the same people or things. For example, Mr. E.'s Afghauns are here transformed into Uffghans; his Caubul into Kabool, &c. &c.

For the rest, the present volume must be regarded as an interesting supplement to the works of Mr. Elphinstone and Sir John Malcolm, lately introduced into our review, and as indispensable to those readers who wish to increase their acquaintance with the countries which lie to the west of the British dominions in India.

The History of Bengal, from the first Mahomedan Invasion, until the virtual Conquest of that Country by the English, A. D. 1757. By Charles Stewart, Esq. M. A. S. late Major on the Bengal Establishment, Professor of Oriental Languages in the Hon. East India Company's College, Herts; Author of the Descriptive Catalogue of Tippoo Sultan's Library, and Translator of the Travels of Mirza Abu Taleb Khan.—4to, pp. 548. London, Black and Co.

THE province of Bengal, says Professor Stewart, is one of the most valuable acquisitions that was ever made by any nation. It is situated between the twenty-first and twenty-seventh degrees of northern latitude, and between the eighty-sixth and ninety-second of eastern longitude; being in breadth about three hundred, and in length four hundred miles: its area contains nearly twenty-one degrees square.* On the north and east it is defended by impenetrable mountains; and on the south by a line of inhospitable and dangerous sea-coast, containing but one harbour capable of admitting vessels of any size; and even that one guarded by innumerable shoals. This western frontier, although exposed to invasion, is, in many places, so strongly defended by nature, that fewer troops are requisite to protect it than any other country, of similar extent, on the continent of India. Its numerous navigable rivers, in the possession of a maritime nation, are also so many sources of defence, that should the English ever be driven

* We see, from a notice on the handsome and useful map which accompanies this volume, that the dimensions of Bengal exceed, by something less than a thousand (844) square miles, the dimensions of Great Britain. The following is the comparative table to which we allude:

	Square Miles.
Bengal contains	97,244
Behar	51,973
Total	149,217
Great Britain	96,400
Ireland	35,400
Total	131,800

Having compared the surface of the two countries, it is natural to compare the population; and here, too, Bengal has an undoubted advantage. In 1789, the inhabitants of Bengal and Bahar were estimated at 22 millions, and Sir William Jones reckoned them at 24 millions. In 1793, Mr. Colebrooke was decidedly of opinion, after mature consideration, that including Benares, they could not be estimated at less than 27 millions, which corroborates Sir William Jones's calculation. Another estimate, made in 1790, which is not so much to be depended on, carries the population of Bengal, Bahar, and Benares, so high as 32,987,500 inhabitants. In 1801 a more accurate survey than any of the preceding was taken by the directions of the Marquis Wellesley, but the result has never been communicated to the public in an authentic form. Upon the whole, the average of 200 to a square mile, in districts which are well peopled, may be admitted as tolerably correct; and we may estimate the total population of Bengal, Bahar, and Benares, not to exceed 30 millions, nor to fall short of 28 millions of inhabitants. Under the British government the population of Bengal has undergone a progressive increase, which still continues, and surpasses that of England in the cultivated districts. It has occasionally, however, met with checks, as happened in 1770, when it is supposed, that on a moderate computation, a fifth of the inhabitants perished by famine: in 1784 the same calamity prevailed, but in a much less degree; in 1787 many lives were lost in the eastern provinces by inundation, and in 1788 by a partial scarcity; but since this last period famine and scarcity have been wholly unknown.

It may be added, that other writers make the area of Bengal less considerable than the estimate of Mr. Stewart.

from all the other parts of India, they may find in Bengal an asylum where no enemy will venture to follow them. Thus secure from a foreign invader, they are equally safe from any insurrection of the natives, whose mildness of disposition, and aversion to war, are such, that nothing short of the most atrocious cruelty, or of religious persecution, could induce them to draw their swords against their present masters. If nature, adds our author, has been thus bountiful to Bengal in its means of external defence and internal security, she has not been less liberal in bestowing on it every other blessing that a country can enjoy. Its fertile soil produces every thing requisite for the food of man or animal; and in such abundance, that the crops of one year are sufficient for the consumption of its inhabitants for two. It is thereby enabled to supply all other parts of India from its superabundance; and to become the granary of the east, as Egypt formerly was of the west. In variety of fruits and animals it equally abounds; and yields every other article requisite for the comfort, or even luxury of man. The inhabitants of Bengal, sufficiently versed in all the arts of useful industry, require no assistance from other countries; while their delicate and valuable manufactures are exported to every part of the world.

The revenues of Bengal, consisting chiefly of rents paid for land, the property of which is vested in the sovereign*, were fixed by Raja Todermul, about the year 1582 (during the reign of the Emperor Akbar), at one crore, six lacs, ninety-three thousand one hundred and fifty-two rupees; or, at eight rupees per pound sterling, £1,336,644. During the government of Sultan Shujaa, they were raised to one crore, thirty-one lacs, fifteen thousand nine hundred and seven rupees, or £1,639,418 7*s.* 6*d.* In the year 1722, they were increased, by the Nuwab Moorshud Cooly Jaffier Khan, to one crore, fifty-two lacs, forty-five thousand five hundred and sixty-one rupees, or £1,780,595. 2*s.* 6*d.* For the year 1811-12, the land-revenues of Behar, Bengal, and Orissa, amounted to two crores and seventy-two lacs of rupees; deducting seventy lacs for Behar, there remains two crores and two lacs for Bengal and Orissa, or £2,525,000.; which, after allowing £1,025,000 for their proportion of the expenses of government, leaves a surplus revenue from Bengal and Orissa of £1,500,000.; either to be applied to the purchase of investments or the support of other provinces, or even to be remitted home in specie, whenever the exigences of the state may require it.† There is also a permanent annual revenue, of fifty lacs of rupees, derived from salt and opium, to be added to the account. These must be admitted to be great and solid advantages, without taking into consideration the vast increase of commerce, and addition to the revenue, arising from the trade of Bengal.

To this agreeable picture, as it respects the interests of Great Britain, Mr. Stewart adds the very satisfactory assurance, that the connection of the two countries is also beneficial to Bengal. On this question, our author cites the passage which follows, taken from the Fifth Report of the Select Committee of the House of Commons on the Affairs of the East India Company, prefacing it with a declaration of his hearty concurrence in its tenor, and his belief, from individual experience, that it is perfectly well founded: "The strength of the government of India," says the Report, "directed as it has been, has had the effect of securing its subjects, as well

* This right or claim was given up to the Zemindars by Lord Cornwallis, when he made the perpetual settlement in 1793.

† In October 1811, forty lacs of rupees were brought from Bengal, and were sold to the Bank of England for £495,527.

from foreign depredation, as from internal commotion. This is an advantage rarely possessed by the subjects of Asiatic states; and, combined with a domestic administration more just in its principles, and exercised with far greater integrity and ability than the native one that preceded it, may sufficiently account for the improvements that have taken place; and which, in the Bengal provinces, where peace has been enjoyed for a period of time perhaps hardly paralleled in oriental history, have manifested themselves in the ameliorated condition of the great mass of the population; although certain classes may have been depressed by the indispensable policy of a foreign government. The nature and circumstances of our situation prescribe narrow limits to the prospects of the natives, in the political and military branches of the public service; strictly speaking, however, they were foreigners who generally enjoyed the great offices in those departments under the Moghul government. But to agriculture and commerce every encouragement is afforded, under a system of laws, the prominent object of which is to protect the weak from oppression, and to secure to every individual the fruits of his industry. The country, as may be expected, has, under these circumstances, exhibited in every part of it, improvement, in a general view, advancing with accelerated progress in these latter times."

Such is the region with whose political history, since the first Mohammedan invasion, Mr. Stewart proposes to make us acquainted. "In a work professing," says the author, "to be a history of Bengal, it will probably be expected to find some account of the original inhabitants of the country; and a detail of their gradual rise from a state of barbarism to that high degree of civilization in which they were found when first visited by Europeans. In both these respects, I am sorry to say, the reader will be disappointed. Although the Hindoos of Bengal have an equal claim to antiquity and early civilization with the other nations of India, yet we have not any authentic information respecting them during the early ages of their progress; nor is there any other positive evidence of the ancient existence of Bengal as a separate kingdom, for any considerable period, than its distinct language, and peculiar written character. It is said to have been, at various periods, tributary to the sovereignties of Oude, Dehly, and Maghada (the present Behar); but that at other times its Rajas extended their conquests as far as Benares.*" "Ebul Fazil," adds Mr. S. has given, in the Ayeen Akberry, a list of sixty-one kings of Bengal, who reigned over that country before the Mahommedan invasion; and although he has in some measure destroyed its credibility, by an ill-judged attempt to make it conform with Brahminical antiquity, yet there is little doubt that it rests on a foundation of truth; and if twenty or twenty-five years be allowed for each reign, previous to the period of the invasion, viz. A. D. 1203-4, it will give the Bengalese sufficient claim to antiquity."

Mr. S. commences what he properly calls his "introduction" to the History of Bengal, with an account of the first irruption of the Mahommedans into the countries east of the Indus; a part, however, of his work, in which he merely proposes to himself to draw out a summary of the information contained in Colonel Dow's Translation of Ferishtah's History, a work which he vindicates from the censure that has been attempted to be thrown on it. Setting forward, then, from the death of the celebrated Haroun Al Rashid, A. H. 170, when the temporal power of the Califs began to decline, Ishmael Samany, the founder

* Asiatic Researches, vol. ix. pp. 73, 112, 8vo. edition.

of the Samanian dynasty, is introduced to our notice. This prince, who, under the Califs, was governor of Daverulniher (Transoxiana) and Khorassan, assumed, A. H. 263, the royal title, and reigned in the city of Bokhara, the capital of the province of the same name, in Usbec Tartary, over the provinces just mentioned, and the northern part of Persia.

The Samanian dynasty had reigned for ninety years with tranquillity and splendour in the city of Bokhara, when, A. H. 350, Abdul Malik Noo, the seventh of the race, died, leaving a son, Abul Munsur, in a state of minority. This unfortunate circumstance produced, as in the numerous instances on record, a division at the court. Abistagy, governor of Khorassan, a person of great reputation, was referred to, to put an end to disputes. That nobleman pronounced against Munsur; but, before his messengers had reached Bokhara, the contending parties had united; and unanimously elected Munsur for their king. The young monarch, unable to hide his dissatisfaction at the decision of Abistagy, commanded him to leave his government and proceed to Bokhara. Abistagy, unwilling to trust himself in the hands of the prince whom he had offended, immediately raised the standard of rebellion, and in the end, established himself in Ghisne, the capital of Zabulistan,* then possessed by the Anooks, a tribe of Afghans. Abistagy, after a reign of fifteen years, died and was succeeded by his son, Abu Isaac, who, at the end of a short reign of one year, died without an heir. Subuctageen, the generalissimo of Abistagy, in consequence, peaceably mounted the throne, taking, on this occasion, the title of Nasir Addeen.

It was this sovereign which commenced the Mohammedan wars of religion and pillage upon the unoffending nations of India. In A. H. 360, he invaded the country of Jypaal Raja, extending, in a north-west direction, from Lahore to Lumghan, and in a south-east from Cashmire to Moultan, and of which the capital was called Bathendeh.

From this time, Mohammedan expeditions against India, to break its images, plunder its temples, and carry its inhabitants into slavery, became frequent.

A. H. 435, the Ghiznian empire being then on the decline, the Raja of Dehly, allying himself with all the Hindoo princes of the Punjab, made an attack on the invaders, and almost drove them out of Hindoostan; but this reverse was temporary, and the Mohammedan arms subsequently recovered and maintained their predominance.

(To be continued.)

* Called by late authors, Cabul, Caubul, Kabool, &c. &c.

Some Principles of Civilization; with detached Thoughts on the Promotion of Christianity in British India. By Richard Hey, Esq. L.L.D. late Fellow of Sidney, Sussex, and Magdalen Colleges, University of Cambridge. Cambridge, at the University Press, for Hatchard, London.

The promotion of Christianity in British India is a subject, which, from its immense importance, has employed the thoughts and the pens of various learned and good men. All agree on the desirable end; but differ as to the means.

Enemies, as we are, to vague and fanciful theories, on a subject which, of all others, demands the most serious and patient attention; we have read with a considerable degree of pleasure the work before us. The author is not one of those modern scribblers, who give to the world crude and superficial pamphlets on every subject which falls in their way, but a calm, systematic reasoner, who leads his reader, with almost mathematical

precision, through a regular series of arguments. Laying his foundation on fixed principles, he raises his superstructure with singular minuteness, and his chain of reasoning is extended, without the omission of a single link to perplex or mislead.

The style in which it is written reminds us of our favourite Paley, with somewhat less of his animation; but the same simplicity of mind, and the same good sense are evident in every page. We are persuaded that this writer has digested well the subject which he treats; and, even if we differed from him in opinion, he is too respectable to be treated with an uncourteous or severe opposition.

The pamphlet begins with some preliminary observations, and the author dwells considerably on general principles of civilization, "leaving them to be applied by those whose situation may call them to it. The object, however, before us, is no less than the promotion of the temporal and eternal welfare of persons far exceeding, in number, the inhabitants of our United Kingdom in Europe." This object every good man is desirous to promote; but, as we have observed, the mode is perplexing perhaps, and difficult:—

"I find a difference of opinion in the writers whom I have consulted, respecting the precedence of civilizing or christianizing those who stand in need of both. Some propose civilization as a step preparatory to the introduction or offer of christianity; others speak of christianity as the only or most effectual means of civilizing. The distinction may perhaps be material in some views; though probably not necessary to be carried along with us in these pages. If any person suggest what is likely to be advantageous towards either of the two purposes, it may be not quite foreign to the other. At least what tends to civilize will, in the opinion of some, prepare for christianity; and what directly promotes christianity will, in the opinion of others, be favourable to civilization. Indeed, if civilization be regarded as ending in mere temporal good, it dwindles into nothing when viewed as a consequence from the true religion: because the value of this consists in securing a never-ending felicity. I am inclined to consider the two as mutual causes and effects. Civilization may promote christianity, and in return be promoted by it. Christianity may have a civilizing influence; and, from this advantage gained, may be more readily and efficaciously received into the heart and actions. Taking this view of the matter, we cease to regard civilization as a mere temporal acquisition; and in devising the means of promoting the one or the other, we feel that we are, in either case, employed, mediately or immediately, in forwarding the highest interests of our species. And, if one rude Indian be first struck by any of the sublime and affecting truths of christianity, and through the medium of religion, become a civilized man; if another be drawn on gradually by miscellaneous instruction and other means, to a state of civilization, and, through this medium, become a christian, I see no reason why we are to object to either process. I see no reason to suppose, in either case, that the Divine Providence and the influence of the Holy Spirit, have not superintended and guided the whole: though in the most usual mode, that is, a mode unknown to us, and not by us to be distinctly traced in the operation. Neither case precludes human effort: neither case justifies that confident zeal which presumes upon infallible guidance from God."

In this we do not materially differ; but we are, on the whole, disposed to think, that civilization, to a certain extent, such as perhaps exists among a very large portion of British India, is necessary to a successful attempt towards a real conversion to the pure doctrines of the Gospel. An uncivilized man may be made a nominal christian. We wish both heart and head to be impressed with the saving truths of the Gospel, which we fear will not always be the case among uneducated barbarians. This opinion is strengthened by the deeply-learned and acute Warburton, who writes as follows:—

"The benevolent spirit of antiquity, which set their heroes and lawgivers on

reforming the savage manners of their barbarous neighbours, and communicating to them the blessings of civil life, as divine as it appears, hath been yet outdone in the charities of these latter times, which sends missionaries among the wild inhabitants of the new world, with the greater blessings of the Gospel. But the constant ill-success of this glorious undertaking, hath been a long time matter of grief to all good men. Something therefore must needs be much amiss, to defeat a purpose which grace and nature conspire to advance. And, if we search carefully into it, we shall find it to be this, *the preaching of it to savage and brutal men*. But the Gospel, plain and simple as it is, and fitted in its nature for what it was ordained to effect, requires an intellect something above that of a savage to apprehend. Nor is it at all to the dishonour of our holy faith, that such a one must be taught a previous lesson; and first of all instructed in the *emollient arts of life*. And it is not one of the least benefits of society, that at the time it teaches us to improve every bodily accommodation, it enlarges and enlightens the understanding by the activity which the mind exercises in improving those accommodations. For want of this previous culture, it hath happened, that when, by the unwearied labour of the Missionary, numbers of these savages have been baptized into the faith, such converts have never long preserved, nor were they able to propagate among their tribes, the christianity they had been taught; but successive missions have found, the work was ever to begin anew. From whence we conclude, that they set out at the wrong end; for to make the Gospel *understood*, much more to propagate and establish it, these barbarians should have been first taught the *civil arts of life*. And, indeed, to civilize a barbarous people is, in itself, a work of such exalted charity, that to find it neglected, when a further and far more nobler end than the *arts of life* may be procured by it, is matter of infinite astonishment."

The truth, however, may be between both extremes: the one may assist the other. Difficulties, however must be encountered; obstructions must be expected.

"In this," (observes the author of this treatise,) "as in every other mode of proceeding towards the humane and charitable purpose in view, we ought ever to be prepared with the expectation of obstruction, temporary disappointment, occasional retrograde movement. A tardy progress (or appearing such to anxious zeal) must be submitted to, patience and perseverance must intermix with activity. Should even a final overthrow of our wishes appear the most probable event, we ought to be provided with a consciousness of having used no means which should cause a blush to humanity or christian charity. And, having this consciousness, we ought to commit, in humble resignation, to the God who rules all nations, but with a government of which the measures are beyond our scrutiny. In the prosecution of the great and compound work of christian civilization, let its magnitude be ever present to our apprehension; as a guard against precipitancy, and as a guard against relinquishment. To reclaim man from barbarism, or an approximate state, is to raise him from the confines of mere animal life to that which, in propriety, is the life of man. To reclaim him from barbarism and conduct him into the flock of Christ, is to advance him above the mere life of man, and to ally him with the inhabitants of a better world. God forbid that we should limit the Divine bounty, or intermeddle with the secret counsels of the Almighty! But the Christian Revelation is the only known path, which we are authorised to declare to all people, as leading to the mansions of angelic bliss. And if we may be humble instruments of guiding it into footsteps of distant nations, we may presume to enjoy this grateful reflection: that, through such instrumentality, they rise in the scale of being, and claim under the merits of a Redeemer, to be partakers of the inheritance of the saints in light."

Our limits will not allow our doing justice to this excellent treatise. We earnestly recommend it to the perusal of all, who feel an interest in the welfare of our numerous fellow-creatures in India, who are now sunk in spiritual darkness. They will find much valuable and important matter, arranged with unusual perspicuity; much good sense, and a spirit of genuine benevolence, which mark the author to be a learned and sound reasoner, and, what is far better, a good and pious Christian.

LITERARY AND PHILOSOPHICAL INTELLIGENCE.

Dr. Duncan, senior, of Edinburgh, is preparing for the Press, a new edition of his Observations on the distinguishing Symptoms of Three different Species of Pulmonary Consumption, the Catarrhal, the Apostematous, and the Tuberculous.—The Appendix, in which he gave some Account of an Opiate Medicine, prepared from common Garden Lettuce, and which he has denominated *Lactucarium*, will be considerably enlarged, with Observations communicated to him by several of his Friends who have employed it in Practice.

Mr. C. S. Gilbert will soon publish, in two royal quarto volumes, a Historical Survey of Cornwall, illustrated by numerous engravings, from drawings by Mr. H. Parker, jun.

The Rev. And. Thompson, of Edinburgh, has nearly ready for publication, Lectures, Expository and Practical, on Select Portions of Scripture, in two octavo volumes.

The Rev. Dr. T. D. Whitaker, Vicar of Whalley, is preparing a General History of the County of York, which will form seven or eight volumes in folio.

Dr. Adam Dods, of Worcester, has in the press, the Physician's Practical Companion, arranged in alphabetical dissertations, in an octavo volume.

Mr. J. T. James is printing a Journal of a Tour on the Continent, in 1813-14; comprising descriptions of Berlin, Stockholm, Petersburg, Moscow, &c.

The Fourth Volume of the Antiquities of Athens, &c. by Stuart and Revett, edited by Mr. Joseph Woods, is nearly ready for publication.

Mr. Scoresby has in the press, the History of East and West Greenland, and the Northern Whale Fishery.

Mr. Wm. Wilkins, Architect, will soon publish in an octavo volume, with plates, Atheniensia, or Remarks on the Buildings and Topography of Athens.

The Seventh and Eighth Volumes of Campbell's Lives of the Admirals, commenced by the late Henry Redhead Yorke, are now in the press, and will complete that work early in the ensuing summer.

Dr. P. Kelly will soon publish, an Essay on Weights and Measures, ancient and modern, with remarks on the principles and provisions of the bill now before parliament.

Dr. Adams is preparing for the press, Memoirs of the Life, Doctrine, and Opinions of the late John Hunter, founder of the Hunterian Museum, at the College of Surgeons in London.

The Remains of James Dusautoy, late of Emanuel college, Cambridge, with an Introduction by Robert Southey, Esq. is preparing for publication.

The Memoirs of Dr. Matthew Stuart, Dr. James Hutton, and Professor John Robinson, read before the Royal Society of Edinburgh, with some additional notes by Professor Playfair, will soon appear in an octavo volume.

Mr. Wm. Mariner has in the press, in two octavo volumes, an Account of the People of the Tonga Islands in the South Pacific Ocean.

Mr. Booth, author of an Analytical Introduction to the English Language, will soon publish a volume of Poems.

Memoirs of the late Thomas Holcroft, written by himself, and continued to the time of his death, from his diary, notes, and other papers, will soon appear in three duodecimo volumes.

Mr. William Playfair will soon publish, a Supplemental Volume of Political Portraits in this new era.

Memoirs of Oliver Cromwell and his Children, supposed to be written by himself, will soon appear in three duodecimo volumes.

Mr. Windham, of Glasgow, has in the press, Unitarianism incapable of Vindication, in reply to the Rev. J. Yates' Vindication of Unitarianism.

A new edition of a Collection of Farewel Sermons, by Nonconformist Divines, in an octavo volume, is nearly ready.

Mr. Ravizotti's Italian Grammar is reprinting, with considerable improvements.

Mr. Pratt has in the press, a new edition of the late Rev. R. Cecil's Works, in three octavo volumes.

A new edition of Dr. Pinkard's Notes on the West Indies, with additional letters, and a plan for the emancipation of the slaves, is in the press.

The Rev. T. Malthus is preparing a new edition of his Essay on Population, with important additions and emendations.

An edition of Gray's Works, wish some variations in the principal poems, from his own hand writing, and many letters hitherto unpublished, edited by Mitford, is in the press.

A new and corrected edition of the Rev. Harvey Marriott's Course of Practical Sermons, will appear in a few days.

The MS Pentateuch noticed last month had its length erroneously stated, the two volumes, or double roll, being 159 long; and it is in excellent preservation.

At a late meeting of the Geological Society, a paper by professor Esmack, of

Christiana, was read, entitled, "A Description of a new ore Tellurium;" this ore occurs in hexagonal plates, of a tin white colour. When exposed to the blow-pipe, it exhibits all the characters of tellurium; and there remains behind a globule of silver. It is found in the Oundal copper-mine, accompanied by copper pyrites, and by molybdena.

The Natural History Society of Geneva, has invited the naturalists of the whole of Switzerland to attend a public meeting at Geneva, in order to lay the foundation of a General Society, under the name of "the Helvetic Society of the Natural Sciences."

It has recently been discovered, that if a stick of sulphur is grasped in the hand, numerous snappings are heard, exactly like (though not so loud as) the discharge of the Leyden jar. This continues as long as it is held in the hand, sometimes, indeed, after a short interval, it ceases; but the cracking may be again produced by warming it.

It has been recently discovered, that the Tea-plant is indigenous in the United States of America.

In London there died last year, 421 of apoplexy; 680 of asthma; 232 in child-bed; 420 of consumption; 3,324 in convulsions; 792 of dropsy; 953 of inflammation; 711 of measles; 306 of mortification; 723 of small pox; but not one of vaccination.

The scapulas of some unknown large animal, has been recently found in the city of Geneva.

The Coal Gas Company have lately increased the gaseous product yielded by coal, by distilling a second time the tar which is obtained during the first distillation.

M. De Lasterie has discovered a new speedy, and easy mode of copying drawings; and M. Bouillon the art of representing sculpture on paper, with extraordinary truth and accuracy.

Some time since appeared, a statement in most of the Philosophical Journals in Europe, containing cases in which bleeding has been practised with success, in cases of hydrophobia in India. Professor Huffland has found it to be equally efficacious in Germany. It is his intention to publish some of the cases immediately.

In the course of the excavations at Pompeiia, an ancient bathing-room has lately been exposed; in which were found an Antonia and an Agrippa of the size of life, and of the finest workmanship.

M. le Chevalier Delambre, has sent a sun-dial found at Delos, among the ruins of the temple of Apollo, to the Royal Institute of France.

Dr. Wells, in his observations on the condensation of water on glass, says, that although it should be ascertained by further observations, that glass can attract moisture from the atmosphere, in some way unconnected with its greater cold, still the quantity hence arising will be always trifling, when compared with what it receives, in consequence of its lower temperature.

Vogel has published a paper to show, that when sugar is boiled with various metallic oxides, and with different metalline salts, it has the property of decomposing them. Sometimes it reduces the oxide to the metalline state; at others, it deprives the oxide of one of the doses of oxigen, with which it was combined, and thereby reduces it to an inferior degree of oxidation.

Dr. Ainslie describes the Balsam of Peru as a certain specific for inveterate ulcers. See Asiatic Journ. pp. 11, 121.

M. Pons has discovered a new comet.

In the Russian Almanack it is stated, that in the Russian empire died last year 760 at the advanced age of 100 years; 233 of 105; 106 of 110; 53 of 115; 20 of 120; five of 125; four of 130; and one of 160.

It has been observed, that old people preserve their faculties in Russia to a very advanced age. This is attributed to the frequency of their fasts, the frequent use of vapour baths, and to their religious resignation.

The pipes of the engines used in France for extinguishing fire made of flax, are found to answer much better than those made of leather. They are woven in the same manner as the wicks of the patent lamps, or joining. When the water runs a short time through the pipes, the flax swells, and no water escapes though pressure be very great. They are more portable, and less expensive than leathern pipes.

It has been lately remarked, that it is probable, that during heavy gales, the violent shocks sustained by the ship from the waves may momentarily check the regular passage of the sand, through the small opening of the glass. This eventually may cause an error in the ship's reckoning, which might be rectified by simply suspending the glass, as a compass, so as uniformly to maintain its perpendicular position.

Mr. Ludwig, a surgeon at Naufung, has cured by vaccination, a chronic inflammation of the eyes, that had lasted many years.

A mode, superior to that hitherto in use, has been invented at Paris for making gunpowder. It is manufactured more rapidly than the former; the grains are spherical, of the size of swan-shot, well glazed and composed of concentric coats.

An organ is constructing by Mr. Turner of Lambeth, which will be furnished by

an expressive swell across the front, behind the diapason stop. It will open and shut *ad libitum*, as suddenly or gradually as the human voice; it causes a swell on the whole instrument, or on each note individually, at the pleasure of the player.

In a paper lately read to the Royal Society, Dr. Phillips showed, that the heat of animals was, in all probability, owing to the nervous energy. The muscular energy depends upon the particular structure of the muscles; the nervous system is supported by the sanguiferous; but the sanguiferous can act without the influence of the nervous system. Hence the muscles cannot for any length of time, continue to exert their energy if the nervous influence be cut off. The nervous influence seems to be the same with the galvanic energy.

The late Dr. Roxburg, while at St. Helena drew up a Flora of that island. He found fifty-six species, fifty of which were peculiar to the island, having been observed no where else; not a single new genus, however, occurred.

The council of the Royal Society has voted the Rumford prize to Dr. Wells, for his "Essay on Dew." It is generally supposed that the Royal Society is supported by Government: so far from it, Government charges it taxes to a considerable amount. It consists of an association of gentlemen, for the express purpose of promoting the cultivation of the natural sciences. The expenses of this association are defrayed by the annual contribution of its members. This circumstance prevents the possibility of confering the title of Fellow upon any person however celebrated, unless he petitions for it. Such a title being supported by an annual tax imposed upon him of 2*l.* 12*s.* Every person who wishes to become a member of the society, must express his desire to be so, by presenting a petition signed by three members.

To contrive a cypher which shall be at once secure from detection, and easy in its application, has been considered a problem of some difficulty; that proposed by Dr. Rees, has been decyphered by Mr. Gage. Another cypher contrived with great ingenuity, was proposed by professor Herman, about the year 1750. It was offered with great confidence as a challenge for the learned of Europe. It was however decyphered by Mr. Beguelin, and was published in the transactions of the Academy of Sciences, at Berlin. A new cypher has been proposed in which each character represents a letter; so that the number of characters does not exceed the number of letters.

A curious phenomenon has been lately observed in Switzerland, about nine miles distant from Lausanne. The whole surface of the snow was covered with a species of caterpillar different from any which are usually observed in that country. These animals appear dead; but when brought near a fire they soon recover animation.

It has been discovered from observations recently made on the Electrical Torpedo, that when the electrical organs are often excited, they lose their power; and the animal dies much sooner. Its first strokes are always the most violent, and grow gradually more and more feeble, until quite exhausted, and then the animal dies.

Monsieur Freysmuth has discovered Columbium, in Bohemia; he extracted it from a mineral, which has hitherto been regarded as a native sulphate of zinc, and also for nigrin, which it resembles.

Mr. Koening has made some very material improvements in his invention of his printing machine, by which its advantages have been greatly increased.

Colonel Beaufoy states, that the variation of the magnetic needle is least in the morning, and greatest at noon.

A premium has been given by the Highland Society of Scotland, to Mr. Baird for raising 3000 stones troy of Fiorin grass.

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DEBATE AT THE EAST INDIA HOUSE.

East India House, March 27, 1816.

A Court of Proprietors of East India Stock was this day held, pursuant to adjournment, at the Company's house in Leadenhall-street.

The minutes of the last court having been read—

The *Chairman* (C. Grant, Esq. M. P.) acquainted the court, that it was met for the purpose of renewing the discussion on the proposition made at the last court, respecting the allowance to be granted to the owners of the company's ships, in time of peace. He then directed the resolution to be read, as follows:—

"That this court taking into consideration the general advance occasioned in the price of naval stores, by the long continuance of the late war, and the other reasons on which the court of directors have proposed to grant to the owners of ships, engaged under the new system, an addition, for the present year only, to their peace rates of freights, are of opinion, that although the owners of those ships can have no claim to any increase of rates spontaneously proposed by themselves, in the way of free competition, yet as the prices of naval stores have not, from the circumstances of the time, fallen to a peace level, and the owners are subjected to much expense in the outfit of their ships, as at their peace rates of freight must expose them to heavy loss, this court is willing, on the present occasion, to grant to the said owners relief, in the manner suggested by the court of directors, provided the same may be done with safety to the existing shipping system. And this court doth, therefore, authorize the court of directors to request the sanction of parliament to the grant of the proposed relief, with such precautions as may prevent it from affecting the stability of that system."

This resolution, the hon. *Chairman* observed, having been moved and seconded at the preceding general court, it was now fully open to the consideration and animadversion of the proprietors.

Mr. *R. Jackson* expressed a wish that the report of the shipping committee, on which the resolution was founded, and with the contents of which many of the proprietors were unacquainted, should be read.

The report *(of which an abstract is given in the debate of the 20th inst.)* having been read—

Mr. *Hume* commenced by apologising to the proprietors for entering on the discussion of a subject, in which, as an individual, he was very little concerned, having no connection with the shipping interest. In offering himself, therefore, to their notice, he hoped they would receive his observations, as the result of a conviction, that what he recommended was the plan which the interests of the company, and the principles of good policy called on them to adopt. He should be sorry, if a single remark fell from him, that could be supposed to cast an imputation on any individual implicated in the transactions before the court. Towards many of those gentlemen, who were now applicants to the company for relief, he entertained the highest respect and friendship; and, if he could shape his conduct to meet their wish, without sacrificing his principles, he would be happy to do so. But he hoped he should never discover individual friendship to operate on that court, in producing or sanctioning acts of public injury and public injustice. Of this he was sure, that such a feeling should never induce him to deviate from the strict line of public duty. The question now before the court was one of no common interest; and all would agree with him, that the consideration of it was of the utmost importance. It had therefore, appeared necessary to him, that the hon. chairman, or some other gentleman who had sanctioned the resolution then under deliberation, should offer some reason—should have communicated some facts, for inducing the proprietors to agree to it. The resolution was one that departed from the company's established system of service—it was one that abrogated every act of parliament which had been passed on the subject. It was, in fact, opposed to the spirit and letter of commercial transactions, in general. No argument, however, had been addressed to the court, by any of the gentlemen behind the bar. Nothing however had been laid before them, but the report that had now been read; he was therefore, authorised to conclude, that nothing further could be offered in its support. However, those who were of a contrary opinion would have an opportunity of fairly stating whatever objections they might feel to the few remarks he should offer to the court. If any argument could be advanced to bear out the propriety of adopting the resolution, he should be sorry if due weight was not allowed to them; but, as many individuals then in court did not understand the nature of the question then before them (not probably having their attention drawn to the subject at any preceding period) it became necessary for him to state it. The proprietors could not give to the directors a right to apply to parliament to annul this or that, unless they were fully apprized of what

they were called on to do. The question was simply this:—certain ship-owners, who had hired ships to the company, according to the provisions of the act of parliament;—who had answered by their tenders, the printed advertisement of the company;—who deliberately offered to hire ships, on specific terms, for a certain number of voyages, which offer was accepted;—now, notwithstanding a fixed and given price was stated, when the bargain was made, they come forward and demand an increased rate. These transactions took place some years ago—part of the contracts had been complied with, and part remained to be performed. Those very gentlemen now applied to the company, by different letters, which lay on the table, stating, that the variation in the price of stores, &c. between the present period of peace and a period of war, was not so great as they had calculated on—and, therefore, they declined requiring their charter-parties. They would not complete their contract with the company, unless an additional allowance were granted to them. For instance, if they contracted to furnish shipping at £20 per ton, they might, on this principle, instead of that sum, call for £30, £40, or even £50 per ton, the increase being variable. To what did this lead? It led to a question which this court ought not hastily to decide upon; a question that was rendered doubly important, because it came before the proprietors, considered, as they were told, duly and deliberately, first by their committee of shipping, and then by the court of directors, who had approved of the measure recommended by the committee. If he might be allowed to read the words of the proposition, it was, "to grant to the owners of ships, engaged under the new system, an addition, for the present year, to the peace rates of freight." Now was this the fact? Would this be the whole effect of the resolution? The operation of such a concession would extend to more years than one. It went to increase the rate of freight, to enable the ship-owner to sail his vessel, without loss. If, therefore, the price of stores continued as high as it now was, the difficulties which called for the present resolution, would remain; and the ship-owners would say to the company, "you have done us a favour in one year; we are, at present, just as badly off as when that kindness was shewn to us; therefore, we pray that you will relieve us again." He believed it was the wish, intention, and expectation, of the managing-owners, to procure relief for more than one year. All the ships for the present season had sailed, or were about to sail—two, three, or four voyages might not be completed, but they desired relief for the whole. If the company met the wishes of the ship-owners, what then would be their situation? They would be constantly applied to for relief; because, it was most evident, from the correspondence of the owners, that they wanted permanent, and temporary assistance. In point of equity, one would not desire that a man should be ruined by any contract he might enter into; but it was his duty to form a proper calculation, before he ventured to speculate. If an individual said, "Here are ten chaldrons of coals, which I will sell at such a rate," and his proposal was agreed to, would it not be very extraordinary if he came to the purchaser, a month afterwards, and observed, "coals have risen ten per cent. in price; I, therefore, cannot let you have those you bargained for, at the rate you originally proposed?" Would any man in business hazard such a proceeding? Certainly not. He would say, "It is true I have lost by this transaction—but still I must fulfil my contract." It was said that the managing-owners were very much deceived in this instance. If so, he could assure the court the deception was not unexpected. Looking to a correspondence that appeared in *The Morning Chronicle*, in 1813, when several letters appeared, written by an individual whose signature was "No Owner," it did appear that sufficient warning was then given to the shipping-interest. The person who wrote those letters, cautioned the managing-owners against the contracts which they were then about to enter into. "Certain I am," said he, "that at a future period, you will either be obliged to give up those contracts—you will ruin or disgrace yourselves—or you will be compelled to apply to the company for relief." This circumstance must be known to many of those individuals who had ultimately thought proper to enter into contracts. In commercial transactions, particularly in Great Britain, every man was allowed freely to make his own calculations; and, when he formed a tender upon them, no person would say, why do you propose for this particular sum, or for that? The reason was obvious. Every man was supposed to have a just knowledge, and to have taken an accurate view, of the subject, to which his attention was called. Admitting this, would the company allow, in consequence of a supposed deception, an alteration to be made in such an extensive range of shipping-contracts as this? "Yes," said the shipping-committee, "provided the same can be done with safety to the shipping-system." These were their words. But he would maintain it that they could *not* do it with safety to the shipping-system—because, if the boon were granted now,

the company would be in the same situation every year, whilst any difficulty remained. The applications for relief would continue, as long as any circumstance adverse to the ship-owners continued; and thus, the present excellent system, would be rendered futile. Where persons made wrong calculations, and the tenders of those persons were received—while the fear of others who saw the subject clearly, and who calculated accordingly, were rejected—were the former to be indemnified for their errors, while the latter suffered by their correctness? If the company were thus to be guided by those who miscalculated, instead of being influenced by those whose calculations were just, would it not be opening the door to those irregularities, which the shipping-system was intended to prevent? Would it not be a plan, which, instead of supporting or providing for the safety of the present system, must overturn it? If he were desirous that the system should be altered, this was one of the first measures he would call for. This was the point on which he was at issue with the shipping committee. They submitted every thing they had thought proper to recommend, on the necessity of the company's doing something to preserve the existing system. But what was the nature of this system? It was a system of fair and open competition. Would, therefore, this proposition of the committee of shipping, which went to abrogate contracts regularly concluded, and to give additional allowances to those who had voluntarily agreed to them—would it go to strengthen and support the present system? On what principle of reasoning could they contend that it would promote a fair and open competition? He had, however, correctly quoted the words of the resolution then before the court—and, as they seemed to involve a contradiction, he was anxious that the proprietors should consider them again and again. The committee of shipping recommended an application to parliament; the court of directors proposed a resolution, founded on the report of that committee—they, therefore, approved of it What did they call on the proprietors to do? They asked for leave to go to parliament, to procure certain powers—which powers were to enable them to pay a sum of money to the ship-owners, or in other words, to take money, to a large amount, out of the pockets of the proprietors. As the facts had been stated, he saw no other deduction that could be drawn from them. They were told by the committee of shipping that the relief would be granted with such precautions, as would prevent the destruction of the present system. But how they were, by doing away existing contracts, to keep up the present system, and to produce a fair and open competition, under the provisions of the act of parliament—the prices, at the time of tender, being fixed, once for all—no second thoughts being allowed—no reservations being permitted—it was not in his power to imagine. He thought the highest compliments were justly due to the committee, which drew up the report, on this subject, in 1803.—The arguments adduced by that committee were advanced in support of the present proposition, as it should seem, in utter ignorance of the intention they had in view, and of the point to which their reasoning was directed. That report went to shew that a departure from the existing system was most dangerous, and therefore, highly improper. It was on that account that the committee of 1803 called on the proprietors to act with precaution. The word *system* was made use of so much on this occasion, as to render it necessary for him shortly to detail the origin of that state of things, which his learned friend (Mr. R. Jackson), whose exertions on this, and on various other occasions, could not be too highly applauded, had toiled for many a day in that court to obtain and to secure. He was well pleased to observe, that the court of directors and the committee of shipping were impressed with the importance of that system—and were attentive and careful to preserve it unimpaired—although he differed very much as to the means by which that end was to be accomplished. His learned friend, and many other proprietors, at the period to which he alluded, well knew the fetters by which the directors were bound, with respect to the old shipping-interest. They were so manacled, that it was impossible for them to act. But the exertions of his learned friend, aided by the efforts of other independent proprietors, set them loose—they broke the chains by which the directors were confined—and enabled them to act for the benefit of the company. The records of the House of Commons fully proclaimed the situation in which they were placed, before that event occurred. He would not go back to the report of the committee of that house, in which it was stated, "that the discretion given to the directors, in the hiring of ships, had been the occasion of the loss of millions to the company." That committee was appointed in 1773, to inquire into the affairs of the company; and they found, that private favour had so warped the directors from the performance of their duty, that, in one year, instead of taking up only fifty-six ships, which was all the tonnage they could use, they had actually hired eighty-three vessels. There were few individuals who were not, more

or less, assailable by feelings of interest and private friendship; and there was not, at present, a member of the court of directors, who ought not to rejoice, that a plain and evident line of conduct was pointed out for the direction of the whole body. What followed the statement of this committee? In 1781, the directors were forced to submit to any terms which the then shipping owners were pleased to ask them. This was a part of the old system from which the company were now relieved. In 1783, the then existing owners came to the directors, and said, "Our ships alone are fit for your purpose—you cannot sail without our consent—and we will not hire our vessels for less than 37*l.* 10*s.* *per ton.*" The directors resisted this demand—and many publications of that day did justice to their exertions. They offered the ship-owners 32*l.*—but the latter refused to take less than they had demanded. "Then," said the directors, "we shall advertise, and see what assistance the general market can afford." They did so, and in one week, tonnage to an immense amount was offered. The managing-owners were thunder-struck. They renewed their application having lowered their rates from 37*l.* 10*s.* to 33*l.* and at that price the bargain was concluded. A little after this period, many individuals advised the directors to break this bargain, offering to supply them at a cheaper rate; and one gentleman (Mr. Bingham) proposed to hire eighty ships to the company. He did not mean to say, that the company ought to have receded from their bargain; but he mentioned this fact to shew, that efforts were then made to remove that thraldom under which the directors laboured; and the gentleman whom he had mentioned was one of those who endeavoured along with his learned friend, to bring the company's shipping affairs to a plain and regular system, by advising an application to a market elsewhere, when those who usually supplied the company with vessels, were disposed to act in an arbitrary manner. On the 22d of June, 1786, the ship-owners came down to that court (he saw several gentlemen present, who took part in the debate on that occasion), and passed a resolution, by which the directors were precluded from taking up any ship, under 800 tons burden. Thus, if vessels of 799 tons burden were offered, the directors would not, in consequence of that resolution, be empowered to take them up. There were no ships, in England, of those dimensions recognised by the resolution, except such as were built by the owners, who supported it. On that day, which he had stated, the old shipping-interest came down, and bound the court of directors to employ none but 800 ton ships; thereby tying the company up to their own rates, however exorbitant they might be; such was the state of subjection in which that body held the company, for a considerable period. At length, on the 16th of May, 1792, his learned friend (Mr. R. Jackson), desirous to put an end to this system of imposition, moved, "That this court should recommend some plan, or fix on some principle, for obviating all the disadvantages that were experienced from the existing mode of hiring ships for the company's service." This motion he prefaced by a speech full of argument and eloquence, and which flashed conviction on every unbiassed mind. That motion was, however, defeated. The question came to a ballot; and his learned friend was left in a minority. There appeared, for the motion 353—against it, 561. Yes, on that occasion, his learned friend had the satisfaction of seeing 353 disinterested proprietors vote for a fair and open competition. That defeat, like one which had taken place not long since, ended in a victory. For, in a short time afterwards, on the 3d of April, 1793, his learned friend came down to the court, with a resolution, which was recommended by Mr. H. Dundas, as recognising a principle necessary for the interest of the company. His learned friend proposed and carried that resolution—the first which that court had sanctioned, for effecting an alteration in the mode of contracting for ships. It put an end to the old system—and on it the whole of the present system was built. He would read that resolution, in order to shew the proprietors the grounds on which the anxiety on which the court of directors to preserve the existing regulations, seemed to rest:—"Resolved unanimously" (in a full court), "That this court do concur in opinion with the Right Hon. Henry Dundas, that the freight of ships, employed in the company's service, should be settled, *once for all*, on a fair and equitable footing;—and that the court of directors be called on to take the same into consideration, as well as other matters, to enable the company to carry on their trade to the greatest advantage—in order that some permanent system may be established, on principles of fair, well-regulated, and open competition." This was the first satisfactory resolution passed on this important subject, after years of labour and exertion—and on it, the present system, as now acted upon, was founded. What was the consequence of that resolution? Soon after it had passed, the directors were able to get rid partially of the old system. On the 21st of January, 1795, another resolution was proposed and carried in that court, namely, "That the lowest tenders for the hire of vessels should be accepted—the parr ties giving security to the company fo-

the due performance of their contracts." He begged the particular attention of the court to the latter words—because on them were founded the true bye-laws afterwards ordained with respect to shipping. What followed? In the very next year, on the 5th of February 1796, the court of directors reported to the proprietors, "That, in consequence of the resolution of the 3d of April 1793, and the 21st of January 1795, they had already been able to do a great deal of good. In the last year they had saved to the company £183,366." This was a large sum to save in a single year; but they added, "That, but for circumstances, the amount would have been still greater." The savings, if calculated from the year 1808 (not from the commencement of the struggle of those who wished to place the shipping system on a just basis, but only for a few years), would be found to form a total of £2,532,000, at this time. It had been shewn by documents, that, by the old system, the company lost £10,000,000 in fifteen years. These accounts were not challenged in that court—and, he supposed, if there were any reason to doubt their authority, or to find fault with them, there were plenty of persons who would have been anxious to shew that they were wrong. But, as nothing was said against them, he would take credit for their truth and accuracy. Therefore, he inferred, the reason of the anxiety which the directors expressed to keep up the present system, was, because it had saved many millions to the company's treasury, which otherwise would have been lavished away. But if the saving had been only half-a-million, he conceived it was worthy of attention. Therefore, he hoped, both in a pecuniary and in a political point of view, that no measure would be adopted, which could, by possibility, risk the stability of that system, the effects of which had been so beneficial. But the resolution now proposed went directly to abrogate it. It was clear, however, that neither the sanction of that court nor the approbation of the court of directors, to the proposition, could effect such an alteration. If they looked to the 39th of his Majesty, they would find that by it the system was protected and guarded. That was an act passed by the legislature, and provided that the shipping transactions of the company should proceed on the principle of fair and open competition. Thus the principle had the sanction of the court of directors, of the general court, of the bye-laws, and of an act of parliament. They all joined in pointing out the necessity and propriety of the measure. But, for the proposition now laid before them, the recommendation was of a different nature—it was supported by something else. They were told, "There is a precedent for it." "There is no necessity," said the committee, "for taking the whole of this case into our immediate consideration, because a case in point occurred in the year 1803, and to that we call your special attention. It is so much in point, that we need only give you extracts from it, to prove the propriety of this proceeding." Now, he denied, entirely, the application of the facts quoted. They did not bear on the present case. The extracts that had been made from the report of 1803, were directly, were diametrically opposite to the conclusions that were now attempted to be drawn from them—and the two cases were quite dissimilar—they were absolutely opposed to each other. What was the reasoning of the proprietors on the case of 1803? It was expressly stated, that "They would not concede to the resolution of the court of directors, on the ground that the ship-owners claimed a farther remuneration, *viz.* on account of the difference in the price of stores, and the high rate of wages—but because the peace concluded in 1802, did not appear likely to be permanent, and the commencement of a new war seemed very near." They felt that this country was not in a state which any candid man would denominate peace—they considered it merely as a state of preparation for war. And, in such a case, they had a right, by act of parliament, to grant additional allowances. Those allowances, by that act (the 39th of the King), might be granted, "in case of war, or preparation for war." Was that the situation in which the country was placed, at present? Were they now as in 1802, in a state of preparation for war? Was there the smallest prospect of immediate war? Was there any reason to suppose, as was the case in 1802, that they were likely to be plunged in hostilities? Immediately after the peace of Amiens, when all the maritime powers were anxious to fill their arsenals with marine stores, little doubt could be entertained but that war was meditated—and the price of stores was consequently enhanced. But was any power doing that at present? Was any state making preparations that could induce the court to look forward to hostilities? On the contrary, the report of the shipping-committee told them, plainly, "That they were likely to have a long peace;" whilst the reason assigned for granting the additional allowances, in 1803, was the very near prospect of war. The two instances were alike, with this difference, that the committee of 1803 looked for immediate war, but that of 1816 denied the likelihood of it. The words of the shipping-

committee were, "As there is a prospect of a very long peace;" those of the special committee, of 1803, were—"as there is no prospect of immediate war." Expressions, in letter and substance, as appropriate as could possibly be imagined—and yet the committee of shipping argued, that they applied to the same case. These were facts that demanded little comment. But he wished to meet those who sanctioned the resolution, or supported it by the precedent of 1803, on their own ground. He gave every praise to the members of the special commitee, who drew up the able and luminous report of 1803—and it was right the court should know who sanctioned that report, which was marked in every part, by sound argument and just reasoning.—[The hon. proprietor here read a list of the members of the special committee, amongst whom were the chairman, Mr. Bosanquet, the deputy chairman, Mr. Robinson, the hon. Mr. Elphinstone, Sir Hugh Inglis, Mr. C. Grant, Mr. Parry, Mr. Cotton, and Sir Francis Baring.]—Neither of the two last gentlemen, he observed, had signed the report; therefore, he supposed, they did not altogether concur in the view which had been taken of the subject; but it was sanctioned by the signature of the other gentlemen; and, when it was supported by such grave authority, he could not hesitate for a moment, in believing, that the highest respect was paid by the court of proprietors to the recommendation of that committee. The committee of shipping looking to the names affixed to the report of 1803, observed, that it was quite needless for them to reason. The arguments adduced by the special committee were so strong, so powerful, that they conceived it only necessary to copy them. They had in their report, stated a few of those reasons—perhaps the court would indulge him while he went a little farther, and pointed out a few more. The opinion of their standing counsel, Mr. Adam, was asked, with respect to the right which the company possessed under the act of the 39th of the king, to grant relief to the ship-owners. Mr. Adam's statement began thus—"I am of opinion, that the act of the 39th of Geo. III. is a bar to granting the relief prayed for; the company possess no powers to grant additional allowances, after peace has been made." After reasoning the case, with great diligence, Mr. Adam goes on to say—"When it is proposed to break up contracts, which have been entered into for seven years, even for a single year, it is directly in the face of the act of parliament, and must operate against the present system." Yet this was the proposition which the shipping-committee begged the court to take into consideration—a proposition that went to abrogate the very system which they appeared so very desirous to preserve. What did the special committee say—"The principle is, that the peace-rates of freight, for the company's ships, shall be settled once for all; but, if, instead of acting on that principle, you grant a discretionary power, to make additional allowances, during the time the contracts are in force, it is plain that the system which the proprietors and the court of directors have stated to be so important, would be superseded." Could any thing be more strongly expressed? The introduction, therefore, of any alteration, which could possibly have the effect here mentioned, it became the duty of the court of directors, to guard against, with the utmost jealousy and vigilance. The special committee here showed the danger which would result from an alteration—and he called on the court of directors either to oppose some strong reasoning to that of the special committee, or to be guided by the principle they had laid down. But the present court of directors, as well as the executive body of 1803, agreed in this point, that contracts ought not to be broken. In the latter period, however, that act was done; but it was expressly done under the plea, that, preparations were making for war—and that, under such circumstances, a right to grant additional allowances existed. It was not founded, as appeared now to be the case, on an implied right to break contracts, under any circumstances. The special committee farther observed—"It is the nature of contracts, entered into for a certain time, to render the contracting parties subject to contingencies. The ship-owner takes the chance of losing by the rise of stores and materials, or of gaining by their fall. If the rate be fixed fairly and mutually between the parties, the sufferer has himself only to blame. It would subvert the principle of contract, if, after a lapse of years, one of the contracting-parties had a right to claim additional allowances." These were the arguments used by the special committee of 1803, against the relief prayed for—but now they were adduced to the court, by the committee of shipping, in order to persuade them to adopt the principle so decidedly reprobated. In short, the report of the special committee—the sentiments of the court of directors—the opinion of the court of proprietors—the letter of their bye-laws—the provisions of the act of parliament—all proceeded on this fundamental principle, "That the peace-rate of freight was to be invariable—that it was not to be altered, either on the application of one owner, or of a great number." These were the words of the special com-

mittee; and they appeared to him to be conclusive against the arguments of the shipping-committee. He therefore held it to be impossible, that they could have read this report correctly (at least reasoning on it as he did), or they would not have made quotations from it, which were decidedly against the adoption of the measures they recommended. Their proceedings appeared to be almost a contradiction. It was perfectly inexplicable to him. The shipping committee said, "The reasoning is so strong in the case of 1803—it is so completely applicable—that we do not deem it at all necessary to reason on the subject; but we call on you to look to the arguments of the special committee." Now, he would also request the court of proprietors to examine those arguments, and having done so, he would ask, was there a single reason to be found amongst them, that could induce a decision in favour of the proposition? He would say that if ten men sat down to select arguments against the resolution, they could find none more powerful than those contained in the report that had been quoted—nor, on the other hand, could any thing be possibly brought forward, more forcible, more clear, or more consistent with the principle of the system on which the company had advantageously acted, but which they were now called on to overturn. And yet the shipping committee adduced the facts and the reasoning of that report, as the ground on which the proprietors were to agree to the measure recommended by them. He was quite at a loss to find out a single argument in that report favourable to that proposition—but he could readily discover an immense body of reasoning against the measure. It might be asked, "what induced the general court, on a former occasion, to come to the very same resolution, without a debate, if it were so improper?" He could only suppose, that its nature had not been considered. If it were otherwise, such a resolution, so hostile to the interests of the company, would not have been agreed to. But, allowing that it had passed then, surely it would be very wrong to suffer a bad precedent to lead them to act improperly a second time. He, however, conceived he had clearly shewn, that there was, in fact, no precedent. There was no pretension to similarity between the two cases—they bore no resemblance to each other. In the present case, there was a prospect of a very long peace, whilst, in the former, every one looked forward to the prospect of an approaching war. Therefore, he denied that the similarity contended for, existed in fact. Mankind were likely, at times, in matters of difficulty, where doubts were entertained, to be guided by the views of others, who were not interested in the subject of dispute. Now, he begged the court to mark the view which the legislature took of the case, when they granted the act of 1803, by which the directors were impowered to make the additional allowance. When the company went to the House of Commons, praying for that act, the legislature felt it was an affair in which they were not peculiarly interested. "Here," said they, "is a body of men calling on us to pass an act for their own benefit—but we see the danger to which it may lead them back—and we must endeavour to provide against it." In consequence of the application made to parliament, the act of the 43d of Geo. III. was passed on the 11th of August 1803. It contained only two sections—the first of which gave the discretionary power to the directors. The second section set forth—"Provided always, that nothing in this act contained be constituted hereafter to authorise or admit any departure from the provisions of the said recited act of the 39th of Geo. III; and shall not sanction any claim, in addition to the fixed allowance of peace freight, described in the company's contracts, in consequence of any variation in the price of stores, or on any other account whatsoever, except in case of war, or preparation for war." Now, this was the precedent, this was the point they were directed to found their decision on; and, therefore, demanded a very serious investigation. Let the court examine the statement of the ship-owners. They told the company, that the price of stores had not fallen—that the rate of wages had not fallen—that the value of the articles to be purchased in India and China had not fallen—but they did not attempt to say, that this country was in a state of preparation for war. They did not hint at such a thing. Therefore, considering the clause of the act of parliament which he had just read, it did appear to him, that even if the court of proprietors agreed to give the powers asked for by the directors, the House of Commons would not grant their consent. They would observe, "did we not say, before, that this might lead to a breach of your system? and did we not expressly guard against any future application of the principle?" When once a breach was made in a system, it was easy to resort to precedent, and to increase it. But the legislature, knowing the constitution of the country better, in all probability, than those who advised the departure from an established principle, said, distinctly,—"there shall be no plea for pursuing this course hereafter—and, if you make the application, we will not listen to it." Let the court, therefore, look to the situation in which they would

be placed, if they concurred in the resolution. There was no precedent, evidently, for going to parliament—they were neither at war, nor making preparations for war—and, therefore, very little attention would be paid to their application. After quoting the case of 1803, as a precedent—after stating facts, and adducing arguments, which instead of supporting, militated against the measure, the committee informed the proprietors, that the managing-owners declined signing their charter-parties—that they were unable to sail at the existing rates. What, then, did they recommend to the proprietors, after the most mature deliberation? they did not recommend the adoption of any principle which could be fortified by the experience of former times—no, they proposed the recognition of a principle which all their reasoning tended to invalidate. He hoped he had satisfied the court, that the precedent adduced was not applicable to the measure under consideration—and, if it were not, the reasoning connected with it fell to the ground; so that, in fact, as far as concerned the present case, there was no favourable reasoning at all. He had shewn, not merely from his own arguments—but from the opinion of the court of directors, and from the expressed sentiments of the legislature—that if a different state of things existed, when the discretionary power was formerly granted; therefore, when the committee called on the proprietors to agree to a similar measure now, under circumstances wholly different, their statements and their reasoning became quite irrelevant. But the committee went farther. They were asked, "what do you mean to do?" The answer was, "we think it necessary to give you an outline of the plan we intend to adopt. We propose, if the court should agree to the resolution, to fix, for the present season, the increased expense of an outfit, on each voyage, on the same principle as was adopted in time of war, since 1804." The meaning of which was, that the ship-owners were to receive high war allowances, on certain voyages, they being called on to pay particular penalties. He thought it strange, however, that, in time of *peace*, they were to be placed on a war establishment. Still, that was what they were called upon to do. Was ever any thing so monstrous? In time of peace they were to pay war rates. It appeared, that the committee wished to follow the example set in another place, where it was settled, that at a period of profound peace the country was to be burdened with an immense war establishment.—*(Hear, hear.)*—They certainly acted as if they approved of this example, and meant to follow it up. If the resolution were carried, the company would continue, in time of peace, to pay war allowances to the present owners, who applied for relief. So that the company would have the immense advantage, of paying war-freights, at a time when profound peace reigned throughout the world, in consequence of departing from the established system.

The *Chairman*—"Will the hon. proprietor quote the words to which he refers?"

Mr. *Hume*.—"The words are, 'to continue, for the present season, the mode of fixing the increased expenses of outfit, on each voyage, on the same principle as has been adopted in time of war, since the year 1804.'"

The *Chairman*.—"Nothing is there said about *war allowances*. The *principle* may be acted on, although the same allowance may not be granted."

Mr. *Hume*.—"That is my argument."

The *Chairman*.—"No, the hon. proprietor assumed, that war allowances would positively be given to the ship-owners."

Mr. *Hume* proceeded.—What he asserted was this, that the committee laid it down as a principle to give increased expenses of outfit to the ship-owners, in time of peace. If the expression meant any thing, it meant this. He should be glad, however, to hear it differently interpreted. But many parts of the report required that those who wrote it should explain what it meant; for the great mass of those who read it, did not understand it. Why, should the company alone, in time of peace, be subject to war contingencies, when the act of parliament—the contracts themselves—and their bye-laws—all pointed out the regular course for their adoption? The directors had not an argument—not one, at least, in writing—to reconcile the court to this anomally, and show them why they should agree to the resolution. He trusted, on the other hand, that he had not failed in laying before the proprietors a great variety of reasons—not merely those which originated with himself, but others drawn from the best authority—that operated strongly against the proposition. But it would be necessary to go a little farther. He had heard it said of an individual, that he frequently listened to arguments, which *altered* his *opinion*, but never *changed* his *vote*. Now the friends of the ship-owners might probably think his arguments very cogent, at the same time that they had determined to give their suffrages to the other side. He, however, hoped they would not act thus. He now came again to the great point—was there any one fair argument in favour of the measure? They were told that it would only be called for this once. So they were told before. When the proposition was

last made, it was only for "this once;" but it appeared a second application had followed it. What then, was to be expected from this plea of "for this once only?" To have it in a tangible shape, it must be under hand and seal. There would be then some hope that the promise would be adhered to, but experience taught them, that the verbal assurance was good for nothing. But, as others might examine, narrowly, the mode of arrangement in this case, he could not avoid viewing the danger of setting this precedent for placing a discretionary power in the hands of the directors. A twelvemonth had not elapsed, since a proposition was made, which he opposed, to enable the company to become ship-owners to a great extent. He deprecated the system—because, in consequence of it, freights would perhaps be raised to 35*l.* or 40*l.* a ton. If they continued, the trade to India would necessarily become a losing concern; and, therefore, he stated, that it was an act of very doubtful policy, to adhere to that which might be taken away in another year. A noble lord had since moved, in another place, for a series of papers, to clear up this point—to see whether the India trade was profitable or not. Should it turn out to occasion loss, instead of producing gain, was that a time for the company to proceed in their shipping scheme? Was that a time to send out particular ship-owners on a principle of favouritism? He then said, but the observation was treated very lightly, that before twelve months had passed, there would be a chairman's captain—a deputy chairman's captain—and a captain for every member of the committee of correspondence.—*(A laugh.)*—What was the event? The resolution on the subject was scarcely dry, when a code of regulations made its appearance, pointing out the manner in which this patronage was to be disposed of—by which each gentleman would know how to conduct himself. The chairman was to appoint his captain—the deputy chairman had the like privilege—and the members of the committee of correspondence were not forgotten. They had then only two ships—but seven were now contracting for, so that the patronage would be considerable. The committee of correspondence consisted of nine members, so that the two youngest were rather unfortunate. They must wait until two additional ships were called for, and they also would have their captains. The question in itself, exclusive of its consequences, was such as required their most serious consideration. One circumstance he would now state, which rendered the case of much greater importance than it had heretofore appeared to be, although it could not be denied, that, on the very first view, it was one of no common magnitude—of no trifling interest. He had already shown how *correct* the committee of shipping were in their reasoning, and he had now to call the attention of the court to a very prominent part of their recommendation. They proposed, "that the owners should be called upon to forfeit the amount of the penalty bonds, for the performance of their contracts, which amounted for each ship, to from 5000*l.* to 10,000*l.*" Now what was the fact? the committee laid on the table a statement of *six* ships, for which additional allowances were claimed. But the proprietors were not informed, that relief was claimed for *twenty-eight* ships, comprising 26,440 tons. Now, of the *six* ships relative to which a statement had been made, (namely, the Warren Hastings, the Asia, the Marchioness of Ely, the Phœnix, the Prince Regent, and the Astel,) there was a penalty only for *one*. The owners of the Warren Hastings alone had entered into a penalty bond.—*(Hear, hear.)*—This proved, that the farther the court examined these affairs, the less reason would they find for satisfaction. For the Asia no security was required, and the Prince Regent was in the same situation. In the case of one or two of these ships security was demanded, but it was not ultimately taken. This being the true statement, he thought the committee, before they spoke of penalties, should have well considered how the matter stood. He had been led to believe, that there would have been penalties for the whole twenty-eight ships—that there would have been twenty-eight times 5 or 10,000*l.*; instead of that, it appeared, that there was only at the rate of one penalty, for *six* ships; and for any thing he knew to the contrary, when the whole was examined, there would not, perhaps, be so many. But, supposing they received one penalty for every sixth ship, the amount would be about 25,000*l.*; while the loss that would be sustained, by granting relief, would not be less than 2 or 300,000*l.*—*(Hear, hear.)* The committee, therefore, ought to have left penalties altogether out of the question, unless they stated their amount fairly and exactly. By the resolution moved by his learned friend, on the 21st of January 1795, which he had read, it was agreed that no tenders should be received, unless proper securities were given; but here it appeared that no securities were taken—that necessary part of the contract was completely neglected. Let not the court, therefore believe, that they were to receive penalties from the twenty-eight ships now calling for extra allowance. If they did, they would meet with a great disappointment, since they were likely to receive little or nothing. The committee of shipping contended,

that it was sound policy to grant relief, under existing circumstances, to the owners. He viewed the matter in a very different light, and could not avoid stating his opinion, that it was, in every respect, bad policy to break the existing tender and contracts. He would advise them to support their system, to abide by the regulations on which it proceeded —that was the true way to uphold it; but he could not repress his astonishment, when he was seriously told, that, by breaking in upon those principles, on which the shipping system had been so long conducted, they were taking that course which was most likely to strengthen and preserve it. What did the special committee say upon this point? Would it not, they observed, be a monstrous thing to suffer low bidders, who had got into employment, in consequence of their offering at rates which they knew would not remunerate them, to ship into the advantage of the old system, and procure supplementary allowances, by representing afterwards that the terms on which they had tendered their ships, were inadequate? The observation that had been made on a former day by an hon. member of that court (Mr. R. Smith) who was himself an owner, had made a very deep impression on his mind, and occasioned him to examine the subject closely. The first shipping transaction to which he would call their attention, was the taking up of the Warren Hastings. On the 8th of April 1801, the directors advertised, that they would receive proposals, in writing, for a number of ships, a *permanent* peace freight to be stated in their tender. In consequence of that advertisement, on the 21st of May following, the court received nineteen tenders, for ships, to go six voyages; of these, six tenders only were accepted. The rate of freight, specified in the tenders that were accepted, varied from 16*l.* 14*s.* 3*d.* to 17*l.*; the thirteen tenders which were rejected, varied, with respect to the price of freight, from 17*l.* to 19*l.* 19*s.* per ton. The difference arose probably from the charge made for war-contingencies. Who, he asked, were the gentlemen that offered tenders on that occasion? They were Mr. Mestaer, Messrs. Wilkinson, Messrs. Anderson and Co. Mr. Larkins, Mr. R. Wigram, Messrs. Easterby and Chapman, Mr. J. Atkins, Mr. James Thomas, Mr. T. King, Messrs. Bonham and Russell, Messrs. Cleland and Co. Mr. J. Rogers, Mr. J. Woodhouse, Mr. R. Lewis, and Messrs. W. and H. Palmer. The tenders of the first six gentlemen were received. He had an opportunity afterwards of speaking to one of the individuals, whose proposals were rejected—who expressed himself in these terms:—"The system of taking up ships by tender has been a saving one for the company—it has operated unequally with respect to the owners; to some it has been beneficial, to others injurious. But my tender being refused, I have a right to expect, that those who underbid me will not receive, at a future time, any additional allowances." Surely those persons who, having made a correct calculation, were unsuccessful on that occasion, would have a great reason to complain, if this resolution were carried.. Certainly, if those who had tendered at very reduced rates were now let in to reap the advantage of large supplementary allowances, the gentlemen whose fair estimate was rejected, would have a very strong ground of remonstrance—but he hoped the court would never allow such partiality and injustice.

He should now advert to the circumstances under which the Prince Regent and Asia were taken up. The advertisement of the court of directors was dated the 1st of March 1797—and the tenders were received the 7th of April. On that occasion fifteen owners sent in their proposals. No objection whatever could be made to any of them, in point of respectability. Mr. Mangles, Mr. Mestaer, Messrs. Cleland and Co. Mr. Brough, Mr. Palmer, Mr. Wigram, Mr. Moffat, Mr. J. Atkins, Mr. Hunter, Mr. Humble, Mr. Princeps, and Mr. Woodhouse, were the competitors. The names of many of these gentlemen were well known; and one would have supposed, that the tenders of some of them, whose experience in calculations of this kind, and whose character for fair, honourable, and upright dealing had long been established, would have been received. But no such thing was done. The ships of Mr. Humble, who was not known at the time, were taken up. His tender for three ships being the lowest, it was imperative on the court to receive it. Here a great irregularity occurred; although Mr. Humble tendered but three ships, the court of directors took up four from him on that day. Two of these very ships which were built by Mr. Humble, who had underbid all his competitors, were amongst the vessels for which relief was now claimed. After he had made these statements, which were founded on the records of the court, he would call on the proprietors to consider the gross injustice which would be done to those individuals, whose tenders were rejected, if the court sanctioned the additional allowances now demanded by those who were employed in consequence of their having proposed rates which they now discovered would not answer their purpose. The next ship for which relief was claimed, was the Phœnix. The tender of her owner was accepted on the 16th of June 1803:

the rate bargained for 21*l.* 10*s.* per. ton. She was built in lieu of the old ship, Princess Amelia, and had two voyages to perform, having first fulfilled the number of voyages which the Princess Amelia ought to have made. Those two voyages, conformably with the act of parliament, were to be completed at the lowest rate of the season, which was 26*l.* per. ton, and from this the owner required to be relieved. He (Mr. Hume) thought that 26*l.* per ton was below what the owner could afford to take, if he were now to make a tender. But, if the vessel was afloat on any day after the preceding Wednesday (the 20th of March), she must, under the provisions of the act of parliament, perform her voyage at the rate of the last ship taken up. Here, instead of 21*l.* 10*s.* per ton, which was the original bargain, the act of parliament enabled the owner to get 26*l.*; but he wanted more than the legislature had sanctioned. This was the nature of one of the applications now beford the court. The applications were various in their nature—they were not simply confined to one or two classes. Those who examined them would find that they consisted of five or six. In the case of the ship Astell there was a positive deviation from the express provisions of the act of parliament. What was the nature of the transaction? The Astell was built on the bottom of the Prince of Wales, belonging to Mr. Mestaer, that vessel having been lost on her first voyage. Her peace freight was 20*l.* 17*s.* per ton, and she was engaged for six voyages. The tender was accepted on the 26th of March 1801, at which time, twenty tenders, made by various respectable ship-owners, were rejected. The war contingencies were from 11*l.* 5*s.* to 9*l.* 5*s.*, being an average of about 10*l.* per ton. Thus, therefore, the permanent charge under the contract, would be 30*l.* 17*s.* per ton. When the Prince of Wales was lost, the owners applied to the court of directors, observing, that it would be a very great hardship on them, if they were obliged to build a ship on the terms for which the Prince of Wales had been hired. It would be very oppressive, if they were confined to 10*l.* per ton, for war contingencies, when 18*l.* and 20*l.* was the general rate; and they concluded by praying the court of directors to relieve them. What success did this application meet with? The prayer of the applicants, as in the case of the Baring, United Kingdom, and Marchioness of Exeter, was complied with, though it appeared to him in direct contravention of the act of the 39th of George III. cap. 89. By that statute, it was enacted, (when a ship was lost, and no blame attached to the officers or owners) that "it shall be lawful for the court of directors to agree with the owners of such ship, so lost, to build another ship for the service of the company, to be employed by them at the same freight and demurage, and *upon the same terms, for and on which such lost ship was originally taken up*, for the number of voyages originally contracted for, or as the owners should agree; that, at the expiration of the remaining voyage or voyages, such new ship should continue in the service of the said united company, until she shall have performed her six voyages," &c. Now, on the principle clearly laid down in this act, the new ship, though called the Astel, having been built on the bottom of the Prince of Wales, was not entitled to receive higher terms than those on which the latter ship had been hired. He conceived the court of directors had no right to grant any additional allowance to her owners. The opinion given by Mr. Adam, in 1803, was, that the act of parliament debarred the directors from granting relief. And what did their present standing counsel, Mr. Bosanquet, say on this point? "I am of opinion that the court of directors cannot lawfully do that indirectly, which they are prohibited from doing directly. The 39th George III. cap. 89 has prescribed a particular mode in which ships shall be taken up for the regular service of the company, by a contract for six voyages, at a certain peace freight, with liberty to agree for the payment of further charges, if in a state of war, or preparation for war. Any course of proceeding that violates this principle, is illegal. If, then, ships which are now under contract to perform six voyages at a certain peace freight, should be released, either gratuitously, or for a compensation, and afterwards engaged at a higher freight than that which is agreed for, by the existing contract, the principle prescribed by the legislature would be completely evaded." What then was the conclusion to be drawn from the provisions of the act? That, if leave were given to build on the bottom of the Prince of Wales, it followed that the new ship should perform the remaining voyages at the original rate contracted for, *viz.* 20*l.* 17*s.* per ton, peace freight, and 10*l.* per ton, war contingencies. But, it appeared, that Mr. Adam had, at a later period, changed his opinion on this point. On the 9th of January, 1807, when the application of the owners of the Baring, United Kingdom, and Marchioness of Exeter, was under consideration, he stated, that the court of directors did possess the power of releasing from contracts. "It therefore appears to me," said Mr. Adam, "that the court of directors have a discretion to release and regulate contracts, where the bargain was originally, or has by intervening circum-

stances, become too severe for the contractor to execute." This was his opinion on the 9th of January 1807, when he had, in 1803, when the first application for relief was made, stated, "that the act of the 39th of George III, cap. 89, is a bar to the relief prayed for. There is *no power* given to make any allowance for additional charges arising to the owners after peace is made." But yet, in 1807, when the case was put to him again, he gravely stated, that the directors did possess "the power to alter and regulate contracts." He seemed to think that the power of the directors could release individuals altogether from their contracts—that there was nothing to control or oppose them. The directors, however, felt differently. They knew that no discretionary power was left them, by the act of parliament. They, therefore, said to the owners of the Baring, United Kingdom, and Marchiones of Exeter, who had contracted for a certain peace freight, and specific war contingencies, "Proceed on your peace freight, we cannot relieve you from that, but we will let you have an increase of the war contingencies, from 18*l.* to 24*l.* per ton." This was accordingly done, and they received 5*l.* or 6*l.* per ton, above what they had contracted for. Such was also the case of the Astell. When she was built, the directors had no power to give her any terms different from those on which the Prince of Wales was contracted for, on the bottom of which vessel she was built. The opinion of Mr. Adam was, however, acted on, and an alteration was made. In speaking on this subject, one could scarcely have patience, when so palpable a contradiction was detected. The learned counsel might suppose his latter opinion to be correct—but he believed few persons would be found to agree with him. He conceded to the directors a most extraordinary right—a right to release from the binding power of a contract. Now, he would contend that a contract once entered into ought to take its course,—it ought to be completed, *in toto*; but here the contractor was at once released from the specified war contingencies, and received a greater sum. It came merely to this:—the court of directors on application made to them, said to the owners of the Astell—"by the terms of your tender, you are *bound* to go six voyages for 20*l.* 17*s.* per ton peace freight, and 10 per ton, war contingencies—making a total of 30*l.* 17*s.*; but we will not be so hard on you as to insist on your fulfilling the contract; let your peace freight continue, and we will increase the war contingencies." They did so—on her first voyage, the war contingencies were raised to 18*l.* 10*s.* per ton; being 8*l.* 10*s.* more than the owners were entitled to demand. In stating the history of the shipping transactions, he found so many deviations from the law, that he was really ashamed to have occupied the attention of the court so long on the subject; but he felt that it was necessary, lest the court should hastily and unadvisedly agree to the resolution then before them—a resolution which went to give the directors a right to grant 5,000*l.* to one owner, and 10,000*l.* to another, without any farther trouble or inquiry. At present, it ought to be observed, they were not apprized of the sum that would be necessary for the relief of the different claimants. Now, if a person came to a body of men, and said, "I want some assistance from you," would they not very naturally ask, "what is it you do want? have you made a calculation of the sum necessary to remove your distress?" Could that individual expect relief, if he did not state what his necessities required? but the committee of shipping though they recommended relief, had laid no estimate of the sum that would be required, before the court. In the absence, therefore, of direct information, they must take the best *data* they could get. They must, then, look back to 1803. At that period, 50 ships received aid, comprising 44,473 tons—which, on an average one with another, of 6*l.* 10s. per ton, gave a result of 295,698*l.* expended by the company in relief to the ship-owners. In examining the shipping proceedings of that day, he had been led into an inexplicable labyrinth. He saw no *data* on which the directors appeared to have acted, when they gave to some of the claimants 2,500*l.* and to others 17,000*l.* He was anxious to know, in consequence of a question put by an hon. member of the court (Mr. K. Smith,) whether it was yet determined, how many ships should be relieved, at present, and on what scale that relief would be afforded? No answer having been given, he wished to see the principle that had been acted on in 1803—because, though in reality the proceeding at that period was no precedent, he thought, perhaps, it might be adopted as one by the directors. He could, however, find no principle—he could discover no system. He went over all the papers, some of them printed, and others in manuscript, but he could light on no *data* to explain the reason of the apportionment that took place in 1803. He thanked the court of directors for their indulgence, in suffering him to have access to those documents; and he hoped he should not be considered to have acted ungratefully in making such a use of them—but, on the contrary, that his conduct would be looked upon as fair, open, and manly, since no individual could suppose he was interested one way or

other. The result, as he had before observed, of the relief granted, in 1803, to fifty ships, carrying 44,773 tons, was 295,698*l.*; and, as no *data* existed, by which the reason for giving 2,500*l.* to one ship, and 17,000*l.* to another appeared, he had taken a general average of 6*l.* 10*s.* per ton. Now he would ask, did not this facility of granting money, afford a great temptation for breaking down the system, instead of supporting it? Was it not most dangerous to place in the hands of any body of men, a power, to disburse, as they thought proper, large sums of money? To give 5,000*l.* to this applicant—10,000*l.* to a second—and 17,000*l.* to a third? Now, he held in his hand a list of thirty-four ships, at present claiming relief. Of these the last six had a species of remuneration laid down in their mode of contract. It was agreed, that 40,000*l.* should be paid for the hull; but, if it came to more, the overplus was to be given to the owners—if it cost less, the difference was to be restored to the company. Those vessels were, therefore to be set aside. The remainder, amounting to 28, comprised 26,440 tons, which, at the same allowance of 6*l.* 10*s.* per ton, granted in 1803, (though, on the principle on which relief was now demanded, the high price of stores, &c. it might as well be 10*l.* 10*s.*) would give a total—

For one voyage of......	£171,860
For two voyages........	343,720
For three voyages......	515,580

In fact, dealing on a fair scale, and acting with all men alike,—supposing it a mere question of money, unconnected with any other consideration, they would not be able to get rid of it for less than 500,000*l.* Without meaning to detain the court much longer, he thought he might safely be permitted to say, that the nature of a contract was such, that every commercial man must desire it to be held sacred. It was on his strict adherence to his contracts, that the stability of the English merchant depended; it was the correct fulfilment of his agreements, that established his fame all over the world; it was his punctual discharge of every engagement into which he entered, that exalted his credit and character—and gave to his word, in foreign countries, more weight than even the bonds of others carried with them.—*(Hear! hear!)*—Did it not behove the court, then, to take care how they for a moment departed from that just and upright principle? If, in the dealings of a private man, a strict adherence to contracts was expected, how much more necessary was it in their case, when they considered the immense magnitude of their transactions—when, in the very last year, their freight and tonnage amounted to 2,000,000*l.*? were they now to grant a discretion, which was formerly abused? which was so dangerous, that the legislature had been called on to step forward and redress the evil—to shield the directors from temptation which human nature could not resist? The court, in deciding this question ought to recollect, that the various contracts were not entered into by hasty or inconsiderate men—but by gentlemen, members of the court, who had grown grey in calculation, and who had sent in their tenders coolly and deliberately. It was but justice that the proprietors should know who were the applicants. He should therefore read their names. The parties were:—Capt. Murray, J. Forbes, Timbrel and Smith, Charles Christie, W. Sims, Henry Bonham, R. Borradaile, R. Hudson, J. P. Larkins, James Sims, James Walker, John Wordsworth, George Gooch, W. Agnew, J. Cord, Robert Williams, and Sir R. Wigram. From this list he could select three or four gentlemen whose bond he would take for half-a-million.—*(A Laugh.)*—and whose knowledge of figures and of calculations, from the cradle upwards, is a sufficient proof that, in a case of this kind they would not act hastily or precipitately. When therefore, those contracts were deliberately entered into, was it not a matter for most serious consideration to weigh and examine the consequences well, before they proceeded to abrogate the nature of instruments thus solemnly agreed to? He had shown to the court the amount of the relief granted in 1803—he had also pointed out the probable amount of the aid now called for,—and he had stated the names of the individuals by whom the application was made; all of which were circumstances of great importance. Confidence towards public functionaries, in general, was wise, as the interest of the great body for whom they acted was concerned. For instance, he conceived, that business which twenty men would perform very badly might be excellently done by the zealous exertions of three or four; he was ready to place a fair and just confidence in the court of directors, while they executed the regular duties which their office imposed on them; but still he could not support them in doing that which was directly opposed to a positive act of parliament. The legislature had not given the directors any discretion to abrogate contracts—it would be well, therefore, before the court opened the door to the exercise of such a power, that they should weigh, with scrupulous exactness, the probable consequences. But the company, it was said, would gain by the measure. This was a strange conclusion indeed. "It is much better," observed the friends of the measure, "that you should

do this, "than suffer these ships to be lost to your service." Now what was the fact? Some of the ship-owners said, "we will not go at the lowest freight of the season—we will have more than others go for." It was then immediately said, "If you do not comply with this demand, you will have no ships—it will not be possible for you to carry on your trade." He had felt it necessary to examine into this allegation, that, if they rejected the proposition of the owners, they would be distressed for shipping, and could not proceed with their trade. How, then, did this fact stand? If the whole of the ships which were to load for the next year, were refused to the company, unless larger rates were given (but they would not be refused, for the owners had no other employment for them, and must come round) they would not have a very extraordinary amount of tonnage to provide. Five ships were to go to China, carrying

	Tons.
....	4,800
And eleven to India	9,330
Making a total of	14,130

So that if those individuals refused to complete their contracts, the company would have to look for 14,130 tons of shipping. This would be the whole extent of the deficiency. Now he had spoken to Canada merchants, and other persons who were in the habit of employing large ships, and they said, there was no difficulty in getting the necessary quantity of shipping, if the company would provide for their expensive outfit. He did not, therefore, think, that the company would suffer either loss or difficulty, should the owners refuse to complete their contracts. He had stated the utmost extent of the deficiency, to provide for which was much better than to sanction a breach of agreement. Suppose the cost of fitting out other vessels amounted to 300,000*l.* Let it be paid, and, by the measure, the company would probably save 3 or 400,000*l.*; but even if they lost by it, he thought the question of money was nothing, when compared with the mischief which would probably arise from a dereliction of principle. To avert those mischiefs, if possible, it was his intention to move an amendment to the resolution, and he thought it was fair to state, that he meant to press it to a division. He knew it was a matter of extreme delicacy to appeal to individuals interested on any subject, as to the propriety of their voting on a motion connected with it. But, though this was the case, he could not avoid expressing a wish, as the directors were not in the habit of being present at any decisions in which their individual interest was concerned, that the principle would be followed up by those proprietors who had applied for relief.

Mr. *Lowndes*—"The directors voted for the increase of their own salaries."

The *Chairman* called the hon. proprietor to order.

Mr. *Hume* proceeded. He was disposed to think, that the gentlemen behind the bar, voted, on the occasion alluded to, not as the court of directors, but as individual proprietors. He drew a very wide distinction between gentlemen voting as proprietors on their own affairs, and voting as directors. He always considered the executive body to act as directors, but to vote as proprietors. Though there was no express act of parliament by which gentlemen interested could be prevented from voting on any occasion, yet he thought a certain degree of delicacy was connected with the question—how far persons, petitioning the court for assistance, could, with propriety, support their own proposition by their votes? He did not say, that it was illegal, or, in the strict sense of the word, improper, but he would put it to their own feelings of delicacy to decide, whether it was altogether right for them to divide on the subject of a remuneration to be granted to themselves. "Having said so much" observed the honourable proprietor, "I think it proper to recapitulate, in a few words. That the proposition now before the court appears to me to be a measure hostile to the present system of fair and open competition. It is against the bye-laws, of twenty years standing. It is against the spirit and letter of the 39th of George III, cap. 89. It is against the second section of the very act that enabled the company to give relief in 1803. It is against the whole of the practice since 1793. It is opposed even to what the committee of shipping allege to be a precedent, and which, if it be a precedent, being a bad one, the sooner it is got rid of the better. It is against all the facts and arguments that have been given in writing, to induce the court to agree to it. It is against the whole spirit of the shipping-laws. It is contrary to the real arguments of the special committee of 1803, and of the present shipping committee on the subject, though it is not opposed to the false conclusions drawn by the latter. It is, I think, a deviation from common sense, as far as agreements between man and man are concerned. It is as ridiculous as if we were requested to meet together for the purpose of breaking our own necks.—*(A laugh.)*—If this principle of abrogating contracts, at pleasure, be established at an expense of from 3 to 500,000*l.* is it not tempting men not to adhere to their engagements? I am sorry for those owners, who, from concurring circumstances,

have been obliged to apply for relief—and I would have been most happy to have afforded it, were I not prevented by a strict adherence to the rule of right. I advise the court, not to disgrace themselves by any application to the legislature; since from the section of the act of the 43d of the King, which I have read, it is likely that such application will be rejected. If we wish our statements to the legislature to be respected, on this or on any other occasion, let us lay it down as our rule of conduct, to act upon principle. I now beg leave to move, as an amendment,—"That all the words of the original motion, after the word 'That' be omitted, and that the following be substituted—That it appears to this court, that, by a resolution of the general court, dated April 3d, 1793, it was unanimously determined, 'That a 'permanent system of hiring or building 'ships should be established, upon prin-'ciples of fair, well-regulated, and open 'competition:'—And that by an act passed in the 39th year of his present Majesty's reign, cap 89, it is enacted, 'That all ships for the company's ser-'vice, shall in future be taken up by 'public contract; and that advertise-'ments shall issue for the same, particu-'larising the dimensions, equipment, 'stores, &c. required, as to the same 'ships;' and enacting, 'That the pro-'posal, specifying the lowest peace-'freight shall be accepted without fa-'vour or partiality:' That by adherence to this system, many millions sterling have been saved in freight; and this court would regard a departure from the system so established, as one of the greatest evils that could happen to the company, especially any such deviation as might directly or indirectly induce the ship-owner to look to subsequent consideration, or indulgence, from the favour of the directors, or his influence with them, either by releasing him from his covenant, or increasing the rate of freight beyond the sum fixed and contracted for, under the pretence or allegation of unexpected rise in the price of stores or other articles:—That this court cannot but regard the application of the owners to be relieved from their contracts, and their refusal to furnish their ships, for the present season, at the peace-freight which they deliberately agreed to (on account, as it is alleged, of the price of stores, wages of men, expences in India, &c. not having as yet attained the standard they expected) as wholly unreasonable, as the owners must be supposed to have calculated upon these as well as every other contingency, when they spontaneously made their tenders, and entered into their contracts:—And, especially, as a loss, if any should occur in completing their contracts, could only be admitted, on a comparison with the very high rates of war contingencies which they have received from the company during a long war. That the measure proposed by the court of directors, instead of fixing a given scale of allowance (if any allowance were necessary) equally applicable to all the owners, would leave it in the power of the directors to make any, and what increase, to particular owners, according to their pleasure, or regard for the party:—And the court, fearing that such an infraction of the principle of public contract, might lead to a return to that practice of private contract, and partial selection, respecting the article of shipping (which cost the company 1,938,535*l.* last year), and to save them from the ruinous effects of which practice, the legislature enjoined the present system of fair and open competition—This court doth therefore recommend, that the application of the owners be rejected.

The *Chairman* rose and said—Although it was the wish of the court of directors, and most certainly his own, that this subject having been brought by the court before their constituents should be considered by those constituents; yet the speech of the honourable gentleman, who had just sat down, contained so much perversion of fact, and so much allusion to circumstances which could not be known to any of the proprietors, that he took the liberty of offering himself thus early in order to obviate some of the mis-statements and misapplications, as he conceived them to be, of the honourable gentleman, and to throw some true light on the subject.

It would not indeed be his object to follow the honourable gentleman at any great length, although the honourable gentleman had thought proper to occupy the time of the court for more than two hours: he (the Chairman) had more respect for that court than to wish to engross the rest of the day by endeavouring to answer all the perversions of the hon. gentleman; he would, however, with the permission of the court advert to a few of the most material of those statements which had been made; and he trusted he should be enabled to shew that they were either inaccurate or irrelevant.

He was not aware of the propriety of introducing as the honourable gentleman had done, so many topics upon a question so simple in its own nature: but the honourable gentleman had thought fit to declaim, at an inordinate length, upon matters which had no real relation to that question,—a question which might be fairly and fully discussed in a quarter of the time which the hon. gentleman had occupied.

One of those irrelevant topics into which the honourable gentleman had gone

into detail, was the old shipping system. Into that system he did not chuse to follow the hon. member, however much he might be disposed to do so, if that question bore at all upon the present case, for he had felt it his duty to take an active part in opposing the old shipping system, and might be presumed therefore to be somewhat acquainted with it, and with the system substituted in its place, in the introduction of which he had been a humble labourer, as he had also ever since anxiously watched its progress, and sought its permanence. But he was at a loss to conceive how the details of the old shipping system could throw any light on the present proceeding, unless a kind of analogy was intended to be made out, that as the old system was supposed to be very much upheld by private influence and favouritism, so something of the same nature might have operated in the present proceeding. But he could in the most serious manner state that if ever there was a question which came before the court of proprietors without any influence, it was the present question. He did not know that a single member of the court of directors had been canvassed by any one individual who was either a ship-owner or any way directly or indirectly connected with the present shipping interest. For the court of directors and for himself especially, he distinctly declared that they had been induced to recommend the proposed measure, not primarily or chiefly as it respected the interest of the ship owners, but upon a general consideration of the true practical interests of the company, connected as they must be with the principles of equity, sound policy, and general utility.—*(Hear ! hear ! hear !)*

It should be observed that the court of directors were placed in a dilemma, for which no practicable remedy appeared, but the one proposed. They had not brought themselves into this situation. It was produced unavoidably by the course of public events. The great crisis at which Europe had now arrived involved in it the difficulties and inconveniences which occasioned the measure now in question. Events which the company could not controul had occurred to render necessary, even to the continuance of the substantial benefits of the present shipping system, that some modification of it in so extraordinary a case should take place.

It was well known that one principle in the new shipping system of the company, was the principle of fair and open competition. Tenders of contract were invited from all parties upon this principle; the ships were to be tendered for their whole duration, usually reckoned six voyages, at one permanent rate of peace freight. The reason for these conditions was that no discretion might be left to vary the rate of freight from voyage to voyage. The extraordinary expenses incident to a time of war were necessarily left to be settled between the directors and the owners according to the circumstances of the time. No doubt the effects of this system had proved very salutary to the company: they had procured their ships on terms proportionably reasonable. He was not prepared to say that it had answered equally well to the ship-owners. There was certainly one inconvenience in the nature of the system—that of engaging at one rate of freight for six voyages which might be reckoned twelve years, a period liable to many changes; but in a time of peace the inconvenience might not be great; it was after a war that the peace prices of stores might be expected to vary from what they had been before the war. It was impossible to foresee when this new system was introduced (1796) that the war in which the country was then engaged, would last with hardly any intermission for twenty years. Every man knows what the effects of a war of such length must have been upon all the branches of commerce and every thing which related to civil life. The prices of all the articles necessary to the outfit of ships had risen to an enormous amount, beyond all human foresight. Of course ships could not now on the return of peace, be fitted out at any thing like the amount of outfit before the war. Hence the present great difficulty. During the war, as, by agreement, the owners were allowed what the extraordinary expenses of war required above the peace rate of freight, they might do well enough, and some experience a profitable result; though he thought in general their gains had been but moderate, otherwise he should not be so ready to propose relief to them on the present occasion. But according to the actual cost of stores of all kinds, of of ship building and repairs, it was plainly impossible that the ships could not be sailed at the peace rates of freight for which they had engaged, without ruinous loss to the owners, and eventually the loss of the service of the ships to the company, who would in consequence be obliged to hire other ships, less fitted for their employ, at higher rates of freight than would be given to the existing ships even if the proposed measure were adopted. This would be further explained in the sequel.

But to proceed to some of the statements of the honourable gentleman. The honourable gentleman had laboured to shew that the grant of the proposed relief was against the system which had been so highly extolled—against the bye-

laws—against the act of parliament—and against the interests of the company.

He denied that upon a fair and just understanding of the whole case, any one of those positions would be made out. He would look first at that point which was the most material, the interest of the company. What was the leading object of the proposition now before the court? It was that very interest. There was no question that the company must have ships to carry on their trade—the fittest, indeed the only fit ships are those purposely constructed for it. If the company by rigorously exacting from the owners the performance of their contracts at the low rate of peace freight, were to incapacitate those owners from going on, as must be the case with respect to many of them, these ships would of course cease to sail on their present terms—and then the company must look to other ships, or to these upon increased terms. In either case what the company might recover by a course of law in penalties and damages, could not be considered a compensation for the derangements, inconveniences, and such encreased rates of freight as must be incurred; not to insist now on the injury which would be done to the present shipping system of which the value is so much acknowledged, by a rigorous enforcement, which would tend both to check and to enhance future offers of ships on the existing principle. The experience of the last few days had given the directors some insight into what they had reason to expect, as to the rates of tenders now that peace was restored. Of all the tenders which they had recently received, there was none lower than 26*l.* per ton. Almost all were higher, some about a third more, and it must be presumed, that according to the circumstances of the times, many of these were not inequitable rates. Supposing then, for the sake of argument, that 26*l.* per ton was an equitable rate of freight, at the present time (though the rates lately proposed were for the end of 1817), how was it possible that those ships which had been hired at 16*l.* 17*l.* 18*l.* or 19*l.* per ton, could sail at those rates? The court of proprietors had in fact only one alternative. They must either drive the owners of the ships in question to the extremity of throwing up their contracts, or give them that which should appear to be a reasonable additional allowance. That is, something that will *save them* from ruinous loss, though it will not amount to what must be paid for ships now taken up. Here it is the interest of the company, in point of convenience and of pecuniary consideration, to adopt the last member of the alternative. They must either do this, unless they can devise some other expedient which would ensure the same end, or else take up with one more disadvantageous to the company. The question was, therefore, and it behoved them to look at it fairly, whether they would throw out the present ships which they might retain at moderate additional allowance, or take up new ships for which they must of necessity pay more than they would pay in the other case. The honourable gentleman had insinuated that this would not be the effect. But he (the Chairman) denied the position, for he would undertake to demonstrate that the additional allowance to be made the present owners would fall considerably short of the rates of freight which must at present be required.

And here, before proceeding further, he might notice an observation which the honourable gentleman had insisted on. He had said that the court of directors had offered no reasons in support of the measure they recommended. He (the Chairman) presumed that after examining the report which had been submitted to the proprietors, there would be found sufficient reasons to justify the proposal. The hon. gentleman had urged against it no reason of his own; for all his reasons were drawn from the report of the directors in 1803, which was quoted and referred to in their present report; only in his way of using both these reports, he has employed them in direct contradiction to the intention of the authors, and in opposition to the conclusion to which those authors after due consideration of all circumstances came. But the hon. gentleman had also said, that the granting of additional allowances was contrary to the bye-laws, and he quoted an act of parliament in which he found a special provision guarding against this very principle. If however the hon. gentleman thought proper to rely upon the authority of parliament as having in one act established the principle of a permanent rate of peace freight, he (the Chairman) had only to observe, that there was another act of parliament of equal validity passed in 1803 which allowed the directors to depart from that principle he so much insisted on. This latter act formed the precedent upon which the court of directors acted in a case of the very same nature.

The hon. gentleman had indeed attempted to shew that the present was not such a case as that made out in the year 1803, and that the measure then agreed to in consequence of the peace of Amiens, was of no authority in the instance now before us as a precedent. His reason for advancing this notion seemed to be, that the act of 1803 was actually passed after war had again broke out, whence he might infer, that it contemplated a state of war. But he (the Chairman) had taken a part in

the discussion of that act in the House of Commons; he had also been actively concerned as a director in the proceedings which led to that act, in preparing for its introduction into the house, and could with perfect certainty state that the hon. gentleman's notion was entirely unfounded. It might be true that after the treaty of Amiens there was less prospect of the continuance of peace than there is at present; and it is true that before the act of 1803 passed, the nation was again at war; but what he insisted on, and what was decisive of the point at issue between him and the hon. gentleman was, that the report of 1803, upon which the hon. gentleman had been pleased to pass some commendation, was drawn up entirely, and grounded expressly on the contemplation of a state of permanent peace. It was not apprehended at the time the report was framed, that the war would be renewed; the report went upon the supposition of the permanence of the peace, the return of which was the foundation of the report, and of the parliamentary measure subsequently adopted. Hostilities had indeed recommenced before the bill actually passed, and so far the difficulties attending the adjustment of the rates of freight in consequence of peace were abridged. But the provisions of the act respected the freights to be given for the interval of peace, in entire conformity to the principle of the report of 1803, which went to grant an allowance in peace, on the ground that the prices of stores had not returned to a peace level.

With respect to the objection founded upon the bye-laws, he (the Chairman) knew of no bye-law which justified the hon. gentleman's argument. He was not aware of any thing in them that justified it. The bye-laws respecting shipping had been enacted under the prevalence of the old shipping system, and might not be in all points adjusted to the new system since established, but he knew of no such bye-laws as the hon. gentleman alluded to. The 13th chapter of the bye-laws to which he seemed to refer—(Here the Chairman was about to read the second section of that chapter when,

Mr. *Hume* interposed and said, that was not the article to which he alluded; and referred to the 67th page of the bye-laws.

The *Chairman* referred to the page alluded to, sect. 3d, which requires that in deciding upon tenders made to contract for building ships for the company the lowest rate of peace freight shall be accepted. This law which had been in force in 1803, did not apply so as to controul the present question in favour of which the former example given by the general court, and by parliament upon special reasons, was to be pleaded.

The hon. gentleman had objected to the terms in which this question was brought forward, and seemed to assume, that although it was brought forward for one year only it was meant to sanction the same proceeding in future years. Certainly the court of directors did not intend that it should be continued from year to year. They confidently expected that things would in consequence of the consolidation of peace, come into a more settled state than they were in at present, and with an expectation of this sort, it must be quite out of their contemplation that the measure should continue from year to year. Such a supposition was contrary to the idea upon which they had proceeded, and gave a wrong view of it; for no such intention had ever entered into their minds.

The hon. gentleman had omitted,—he would not say studiously—some part of the report of the committee of 1803; whence instead of giving that report as in candour it ought to have, its full authority in the consideration of the subject before the court, the hon. gentleman selected only such parts as answered his own purpose of shewing that the present measure was incompatible with the preservation of the new shipping system. Now there was in that report an express admission that if a case could be shewn in which the system could not be rigidly maintained without ruinous loss to the owners, it might then be a question whether the court of directors should not have the power of adopting such a remedy as that particular case required, or in other words to afford such relief as was absolutely wanted; and it was assumed that such an extraordinary act might upon a clear exigency be resorted to without breaking down the system. Such a measure had then been adopted, and at the end of 13 years, under circumstances equal or more extraordinary, all that was now proposed was a measure of the same kind. The proprietors had the precedent before them, and he (the Chairman) was not aware of the smallest distinction between that case and the present, excepting that the country was now arrived at what, he trusted, would be a more permanent state of peace. No doubt at that time, the war was soon after renewed: but that circumstance did not at all alter the principle of the argument in 1802. The principle at that time established was to make provision for the extraordinary circumstances which were found to exist upon the return of peace, and to regulate the rates of freight with reference to the actual price of stores, assuming that things were to return to a standard, as would render such regulations unnecessary.

The hon. gentleman had said a great deal about contracts, and had thought

proper to observe that some of the ships were in such a situation with respect to the penalty bonds of the owners, that if it was thought necessary to enforce the penalty against the owners, it would be found in many cases that no such security had been taken. It was very true, that some of these bonds were not to be found in the office of the house, in consequence of the negligent conduct of one of the clerks whose duty it was to take care of them; and who having since left the house was no longer amenable to the regulations of the company. But happily the misconduct of that clerk would make no difference in point of fact, to the company, with respect to those bonds; because by the articles of agreement entered into with the owners, they became bound, whether a penalty bond was executed or not; and the agreement had the effect of a bond, for securing the performance of their contracts. The court of directors if the measure were passed, would have the power of considering the cases of each owner respectively: and whether there was a penalty bond, or not, the directors would give those particular owners whose bonds were not forthcoming no more than those would recover whose security bonds were in the hands of the company. It would be matter of discretion in the directors; and those owners would get no more allowance, than if the company had the utmost controul over them; therefore the circumstance which the honourable gentleman alluded to with so much triumph perhaps as a matter of reflection upon the management of the directors had no effect whatever upon the question. The owners were bound by their tenders; and what the directors now proposed was, not to give any right to the owners, but to leave every thing in the discretion of the directors as to the allowances to be made. In this point of view, therefore, the objection about the security bonds fell entirely to the ground.

The hon. gentleman had alluded to the case of the ship Astell, as an instance in which the court of directors had illegally departed from the system established by law, and he had taken occasion to declaim upon it as affording an evidence of the misconduct of the directors, and an argument for restraining that discretion which they had thought proper to require. Now, it was true that the mode of paying the war extraordinaries to the ship Astell had been changed, but the inference drawn from that fact by the hon. gentleman was fallacious. Neither did the Astell furnish the first instance of this kind, as might be conceived from the hon. gentleman's mentioning primarily and prominently the case of that ship. The directors had exercised a like discretion in favour of three other ships, two years before the case of the Astell came into question. To them the same rule had been applied as the hon. gentleman subsequently, and as it were incidentally noticed, though he dwelt chiefly upon the case of the Astell for reasons perhaps that could be explained, asking with an air of triumph, why there should be any departure from the principle of the permanent system in the mode of employing this particular ship? The answer was not difficult; and when the facts and circumstances of the case were fairly exhibited, they would deprive the hon. gentleman of all just ground of accusation. The ship Astell was built conformably to the law upon the bottom of another that had been lost, and which had been engaged at one fixed rate of war extraordinaries; whereas the common practice was to settle the rate of war extraordinaries from voyage to voyage, according to the prices of stores at the time; and this was the only mode in which there could be any certainty or safety, because to settle one rate for six voyages when the prices of stores hardly ever remained the same for two years, was proceeding upon the principle of a lottery, and the owners might be subjected to ruinous loss, perhaps to a rate £8 or £.10 per ton less than the ships received who had their war extraordinaries settled from voyage to voyage. This was found to be the case of the three ships above-mentioned, and they were relieved by being paid on the principle of the other ships. After having made this equitable concession to them, was it to be refused afterwards to the Astell, which was found to be in the same predicament, and then the only ship so circumstanced? The court of directors thought not; they thought it was but equitable this ship should be put on the footing of all the rest, and if they had determined otherwise, the ship must have thrown up her contract. The directors however, acted in this matter with the sanction of the learned counsel whom the company then employed, namely, Mr. Adam, whose opinion was, that although the law had enjoined that the peace freight should be one fixed rate; it left the war contingencies to be settled according to the discretion of the court of directors, and Mr. Adam was not a man likely to give a hasty opinion upon any case submitted to his consideration, although the hon. gentleman seemed disposed to question the one delivered on this occasion. But as far as he (the Chairman) could judge, the opinion was a sound and just one, and indeed the case required no extraordinary discernment in any man conversant with the subject of it to come to the same conclusion. As far as he (the Chairman) could understand the act of parliament, the directors acted correctly on that occasion, and according to the powers the law vested in them;

which powers warranted them to agree for the war extraordinaries either at one fixed rate, or to make a new settlement for them every voyage; and in consequence of the opinion of Mr. Adam, the Astell was put upon the same footing with other ships. There were two circumstances relative to that ship which farther justified this concession. One was, that she was the representative of another ship that had been lost, which lost ship had been engaged in former circumstances, and at a different period of time, when the effect produced by one fixed rate of war extraordinaries had not been experienced or contemplated as at all so unfavourable to the owners as it afterwards proved. The other circumstance was, that the Astell had not received the war allowance paid to many other ships for building, which amounted to five or six pounds per ton. The Astell, as already observed, was then the only ship which was not paid the war extraordinaries from voyage to voyage according to the circumstances of the time, and every other ship originally engaged at one fixed rate for those extraordinaries having been put on the other footing, why should the same reasonable charge be refused to her?

But this and other things which had been mentioned, were of a subordinate nature, and should not occupy too much of the present discussion. The main question, which pressed for immediate consideration was what should be done respecting the case now submitted to the court? The proprietors had, in his mind, to chuse one of two things before them. They must either discard the ships now in their service, and sustain in the first instance, the inconvenience, of hiring ships not so well adapted for the India trade, at a rate of freight formed by the present times, engaging also new ships in order permanently to supply the place of those thrown out of the company's employ; or, they must endeavour upon some equitable footing to retain the ships actually in the service. If they did the first thing—namely, discard the ships, insisting also upon the penalties, and prosecuting the owners for not sailing their ships, in order to recover the losses which the company might sustain by the breach of their contracts; the consequence would be, that they would ruin the owners: they would subject themselves to the necessity of taking up in the first instance, a class of ships not adapted to the service, and must pay more than they would now have to pay if they kept the present ships in their employ. This was the real and true state of the case; and without going into a detailed answer to all the statements and observations of the hon. gentleman, which neither time, nor the nature of the subject would now allow, he should only rely upon this short and real view of the case. The owners were undoubtedly in the power of the company by virtue of the act of parliament:—The company might insist upon this, and on the failure of the owners demand the penalties: they might also commence actions to recover damages for the other consequences of withdrawing the ships. If the company resolved on this course, still they would oblige the owners to lay up their ships, whatever penal consequences might result from the breach of their contracts. But what would be the situation of the company in the mean time? Instead of having the excellent class of ships which they had now in their service, such ships as could not be got any where else in Europe because no other trade employed ships of the like size and equipment, they would be obliged to take such ships, as other branches of trade could furnish, to carry on their trade to China and India. They would be obliged to take up with such shipping as they could get, whether it answered their purpose or not, and subject themselves to great inconvenience and difficulty; when they had ships admirably adapted to their trade within their reach, and ready to continue in their service at a less price, even than those of a worse quality, which the company must take up.

It might be very convenient for the hon. gentleman to go into details quite beside the question which the general court had to determine, but he had urged no one argument which could remove the court of directors from that broad ground on which they stood. It was upon the fair and unornamented ground which he (the Chairman) had candidly exhibited that this present measure was brought forward by the court of directors. They protested against the imputation of any private influence or sinister motives. It was from their anxiety to preserve this very system which was so much entitled to approbation, that the measure proceeded. There was nothing of private influence conceived in it. It was quite impossible to exercise now, such an influence as prevailed under the former shipping system, for every owner acted separately for himself, and used his own discretion in the contracts he entered into. The court of directors had always been aware, that the return of peace after a long war, would be likely to produce such a difficulty as has now actually occurred. But it was impossible to prevent it. When one permanent rate of peace freight was fixed at the beginning of a ship's service, it was to be expected that after twelve or more years of uninterrupted war, the prices of stores must at the return of peace be much higher than they were before the war. Still this inconvenience in the system, and the measure to which it now led, were outweighed by the other great advantages of that

system. The court of directors were actuated by no motives but those of an independent impartial consideration of the interests of the company, and a reasonable attention to the interest of those connected with them. This was in one plain sentence the short and long of the case.

The hon. gentleman might have detained the court two hours longer upon the same subject, and after the same manner: but he could not have altered the fair argument upon which this case was founded. He might have wasted his strength in the same pursuit, but he could bring forward no statement—no fact—and no argument, that could answer or solve the question now submitted to the court, in any other manner than had been proposed; and he entreated the proprietary, for their own sake, to consider well, the simple but important point to which the question was now reduced. One of these things they must chuse, whether to continue the ships which they now employed upon the reasonable terms that might be settled for them, or whether they would discard them, and resort to such imperfect and casual supplies as other shipping not calculated for their purpose could afford them, in the spur of the moment, and in the exigency of their affairs. Upon this point they ought to exercise a wise and sound judgment, and not suffer themselves to be carried away by erroneous statements and fallacious arguments.

The hon. gentleman talked about the mischief that would be done to that system, and the abuses to which the proposed measure might lead; he seemed to view with distrust the delegation of any discretion to the directors. No man was more anxious than he (the Chairman) was to preserve the shipping system as it now stood; and nothing would give him greater uneasiness than to see that system shaken. He had devoted too many days and years to the support of the system, now to lend himself to the subversion of it. But without going into a detail of the merits of that system, the question was whether, after a long period of twenty years of war, in all which the system had been advantageous to the company, they would now resolve on a course of measures, which though they might be represented as only an adherence to justice, and to the system itself, would in reality, by the ruin it would bring on the owners, prove seriously injurious to that system; for he verily believed, that the system would be materially affected, if the company were to proceed with such severity against every owner, as to say, you must sail with a gone-by rate of freight, and if you do not, we will prosecute you for your penalties, and proceed against you for such damages as the company shall have sustained by your breach of contract. Why, what would be the consequence of this? Many of the owners must be broken down—perhaps a few of them might sustain the shock, so as not to be absolutely overset by it; generally speaking however, the consequences must be fatal to their interests—part of them might be affluent men; but very few of them could well bear a loss of six or eight pounds per ton for four or five voyages: that would be such a crash as would deter men from coming forward with any new offers that were not sufficiently high to protect them in all events, which in other words, would be to raise the standard of peace freight, and thus to check the operation of the principle of free competition, which had so much influence in keeping down the freights. After such an example it could not be expected that men would be fond of venturing upon a permanent rate of peace freight. But still the objection was—if you trench upon the system at all, you in effect break it down. Now the same objection might be made to any system founded upon the like principles. But was it because the system was not to be followed up into rigorous execution at all times, and under all circumstances, that therefore, it could not continue an useful system; and that those who by softening an experienced inconvenience in it, were to be held up as destroyers of it? The very maintenance of the system was connected with a reference to times and circumstances: for while at one time it might be salutary to enforce its execution; at another, it might be really detrimental to it, to carry the exaction of a hard condition to the utmost extremity. Hence it was necessary for the preservation of the system, that the company should look to the wonderful alterations which had taken place in the course of the last twenty years. To go now to the utmost rigour which the system allows, without any respect to that great change, would be in effect to strike at the practicability of the system.

Suppose the company granted the relief now, it would be a relief advantageous to the company itself—and without endangering the system. It was not proposed to keep the door perpetually open; it was to be shut as soon as the given specific object was attained. This was merely a temporary, an experimental arrangement, to relieve the distresses of the ship owners in order to procure a permanent benefit to the company. As to the discretional power which it was objected this would throw into the hands of the directors, it was, as just mentioned, to be merely temporary, and would by no means equal that which they had exercised through the long period of the war, namely, the power granting allowances for war contingencies, or extraordinaries.

This they had a right to do, by express law. What was now proposed was a far inferior power, capable of being used only when the other had ceased. It was a power to relieve the owners from the necessity of sailing at inadequately low peace rates of freight, when the war prices of stores still in a certain degree continued. Not possessing this power, the directors recommended an application for it to parliament. In point of reason and policy, the measure ought to be adopted even for the maintenance of the present shipping system. On the other hand, as he had said before, and it could not be too often repeated, if the general court determined to drive the owners to the last extremity, the company must sustain a positive, great disadvantage in the consequences of their own excessive rigour.

This was a short view of the case; and he should hope that the proprietors would not shut their eyes against their own interests. The company had an important stake depending, and as already shewn, but one alternative:—either they must drive the owners to distress, perhaps to desperation, and endanger the system itself, or, they must consent to the proposed modification under the sanction of a remedial law.

The hon. gentleman spoke a great deal about opening the door for private influence and favouritism; and it would seem as if he had been rummaging the proceedings of the committee of shipping, in order to enable him to throw *ad captandum* a specious colouring on these insinuations. He (the Chairman) could only say that the proceedings of the court of directors in shipping affairs, had long been printed for the use of the proprietors, and were at all times liable to their inspection. If still it was to be objected, that the proposed measure would be open to abuse, he had only to say, that if no discretion whatever was to be left to the directors, if the proprietors were to put no confidence in them, of course they could have no power at all. If the court of directors were really to possess no discretion in the innumerable variety of cases that occurred in the company's affairs; if they were to be so regulated by acts of parliament and bye-laws, that they could not stir one step beyond the letter of such acts and laws, the consequence would be, that the transaction of the company's concerns could not go on. It was impossible for the court of directors, as at present constituted, to proceed with the affairs of the company, without a certain degree of discretion; in the nature of things, they could not otherwise be efficient—if those who at present exercised the office, were not fit to be entrusted with the discretion, now required, they could not be fit for the situations they held.

The report of the committee of 1803, had been much dwelt upon by the hon. gentleman, as being in opposition to the proposal now brought forward. But the court of directors were of precisely the contrary opinion. They founded the present measure upon the basis of the report of 1803. It so happened, that three members of that committee were at that moment connected with the company, and two of them members of the direction,* of whom he (the Chairman) was one. They were all of the same opinion, now, that they held then, neither of them had in the smallest degree altered his sentiments upon this subject, nor did they think themselves to be now acting inconsistently with the report of the committee of 1803. On the contrary, they considered that the present was distinctly and exactly, a measure of the same kind, which that report finally produced.

From the tenour of what the hon. gentleman had said of the great change that had taken place in the year 1796, in the shipping system of the company, it might seem as if the whole of that change had been effected from without the bar by the proprietors only; but friendly as he (the Chairman) was to the change, he must be allowed to say on the authority of the records, through which he had travelled, that the first movements towards emancipation from the old system originated in the court of directors long before the subject was taken into consideration by the court of proprietors. It was very true, that the change was very ably contended for in the court of proprietors, several of whom distinguished themselves in support of it, and by their co-operation with the court of directors, it was at length carried; but without meaning to claim any undue merit for the directors, he thought it right that this conduct, as commencing the efforts which produced that important measure, should be fairly understood.

The hon. gentleman had on that occasion, argued against the use that had been made of the report of 1803, in the present question, alleging that it proceeded upon the expectation of a renewal of the war, and therefore militated against the measure now agitated. But the hon. gentleman was totally mistaken. The report of 1803 which was completed in February of that year, after a deliberation of several months, was framed entirely on the contemplation of a state of permanent peace, as the whole scope of it will shew. In March following indeed, the king's message to the House of Commons, revived the prospect of war, and this certainly narrowed the magnitude of the ques-

* There were four or five connected, and three or four then in the direction.

tion that was to be settled with the owners, confining it to those who fitted out between the peace of Amiens, and preparations for the renewal of the war; but the act of parliament of 1803, framed after the renewal was certain, made provision, not for war allowances, which former acts had done, but for the grant of an allowance beyond the peace rate of freight to the ships fitted out after the return of peace, and before the renewal of the war.

Amongst other observations made by the hon. gentleman in the course of his speech, one was, that the present shipping committee had not even read the report of the committee of 1803. Surprized at so strange an assertion, he (the Chairman) felt himself obliged to give it the most positive contradiction, as not having the shadow of foundation. Why, the present committee founded their report upon that of the committee of 1803. The report of 1803 was distinctly brought before them. It was distinctly read, parts of it more than once, with deliberate consideration, yet the hon. gentleman ventured to assume, that the committee had not read the report at all. He (the Chairman) only mentioned this, as one of the ways in which the hon. gentleman had chosen to reason before the court. No doubt the committee of 1803 laid it down decidedly, that a case of loss must be made out, before it would be expedient to interfere in behalf of the owners; and they added, that such loss must appear to be almost a ruinous loss; they admitted too, that it was certainly a subject of grave consideration. The observation to this effect in a passage of the report of 1803, was as follows:—"It is not every claim of this sort that could be entertained, but only a case of loss, which distinctly and fully made out, that the owners would be subjected by going on on the terms of their contracts to ruinous loss." He quoted this, and one or two other passages to shew, that the committee of 1803 looked exactly to all the things which were now looked to by the present committee. They looked to the preservation of the system, and the necessity of relieving the owners from the ruinous loss; they considered, that the ruin of the owners would materially affect the system, and injure the company. Upon these views it was, that the court of directors that day recommended an application to parliament to obtain their sanction for affording the relief required; and that the court of proprietors resolved on that application; what was then adopted, was all that the present general court were now advised to adopt. He knew of no difference in the circumstances, only in that which he had already mentioned, namely, that the country had now the prospect of a permanent peace; whereas then, the peace proved unfortunately to be of short duration. But undoubtedly as he had already stated, the committee of 1803 proceeded entirely on the belief that a permanent state of peace was commenced; and on that principle they recommended their measure. The present committee acted upon the same principle, and they recommended a like measure; only with this additional circumstance, that there was now a more certain prospect of durable tranquility. The act of parliament now proposed, was of the same nature, in respect to allowances, as the one passed in 1803.

The honourable gentleman had chosen to animadvert upon the measure recently adopted of the company's becoming ship-owners themselves—a measure which he was pleased to treat with great disapprobation. Now for his own part he (the Chairman) said he was thoroughly convinced no measure could have been taken more clearly salutary for the interests of the company, and it must be supposed that if the honourable gentleman were better acquainted with the nature and tendency of it, and in what manner the whole had been conducted, he would not have ventured on the censure he had dealt out. He (the Chairman) only desired that the measure might be examined with candour and intelligence, and he was contented to stand or fall by it. And he was free to confess that he took an active part in recommending that measure to the court of directors. It was very true that there were men who could not be expected to view it with approbation. Those who were, or thought of being owners of ships, were not likely to think it right that the company should become ship-owners themselves, and so interfere with shipping concerns. But with a view to economy the scheme would be found decidedly advantageous. By having ships of their own the company could so far have their freights cheaper than on hired ships, and they could thus also from their own experience have a standard by which to judge more accurately of the rates of freight proper to be given both in peace and war to ships engaged on contract. Nothing so effectually answered this end as to make the experiment themselves: and what they had hitherto done in this way had answered the purpose most effectually and had been highly beneficial to the company. The court of directors had certainly in the course of the year thought it their duty to purchase two ships for the company, but they had been obtained on such favourable terms that in the course of their service they would more than clear themselves. The honourable gentleman had argued upon this subject particularly with reference

to the India trade and had talked of the losses sustained by the company in that trade. He was not aware that the hon. gentleman's views upon that subject were supported by any just authority. He was not aware of any losses sustained by the company by their trade with India. He thought the fact was otherwise. At the time indeed of the charter it suited their opponents to represent their India trade as a losing one, and on this topic exaggerations might have been made by gentlemen who had a particular purpose to serva; but whatever might be the result of the company's Indian trade it was however comparatively a small object when considered with reference to their trade to China, in which most of the company's own ships are to be employed, there being two of them only out of the seven which they will possess at all fit for the India trade; so that the honourable gentleman has been very unfortunate in his speculations on this subject.

The honourable gentleman spoke of the patronage which this new system of ship-building on the company's own account, would confer upon the directors themselves. He said that the chairman would have a captain; the deputy chairman would have a captain, that all the directors would have their captains; and that consequently, a wide door would be open to private if not to corrupt influence. Now he must contradict the honourable gentleman in the strongest and most direct terms that one gentleman could employ to another, and to assert, that there was no existence in point of fact for his statements. He could not imagine from what quarter the honourable gentleman could derive his information: but it was totally at variance with the open and known proceedings of the court of directors in selecting commanders and officers for the company's own ships. The court had formed a code of regulations determining and detailing the principles and rules by which the selection should be made. Those regulations were printed for general information; and so far from any thing being done, in the way assumed by the hon. gentleman, no appointment took place by private or individual nomination. The names of the candidates, their services and their pretensions were all exhibited and contrasted, and their characters scrutinized, and then the appointment was made not by partitioning patronage, or individual nomination, but by general vote, which as far as consisted with other proper considerations had respect to seniority of rank. The interest of the company, in short, had been consulted both in the rules for selection and in the manner in which those rules had been followed up. An examination of the proceedings in this business would be the best test of the conduct of the directors; and if the proprietors thought fit to enter into such examination and to inspect the general list of their naval commanders and officers, they would find that the commanders and principal officers chosen were considered with reference to character, experience, and distinction in the service, and the officers of inferior station, whose services could not have been distinguished, were taken with a general regard to their standing and character. Nothing therefore could be more unfounded than this charge of the hon. gentleman.

The hon. gentleman had adverted to the case of ships which having been tendered at a higher peace freight were excluded by the lower tenders which brought in the ships that are now in the predicament of asking for relief. But the hon. gentleman here raised an argument upon his own mistake. The tenders which had been rejected were not tenders of ships already in existence, but tenders to build; the general practice of the company being to engage ships to be built for them, not to take ships ready made. These tenders to build having been rejected because they were the higher, (the directors being obliged to take the lowest) the ships offered on those tenders were not built—they therefore cannot come at all into question in the present argument. The persons tendering, were hence not in the situation described by the hon. gentleman of persons who had actually built ships for the exclusive service of the company, and had been disappointed of engaging them. This may be taken as another instance of the way in which the hon. gentleman represents the proceedings of the court of directors.

The hon. gentleman complained that the committee of shipping had given no estimate of what they meant to allow to the owners now in question. He (the Chairman) had given on the last day of the court's meeting, a very sufficient reason for that omission. It was not the business of the committee to make the owners privy to what they proposed to do, and what they thought the owners should have. If the committee were to announce that they meant to allow a certain given sum, why the owners would take that as a basis on which to try to raise a further superstructure—in short, being so far put at ease, they could without hasarding any thing, contend for more. It was the business of the company to make the best bargain they could: but how could this be effected, if as the hon. gentleman insisted, the views of the committee and their mode of calculation were to be previously laid open to the public? All that he (the Chairman) could say was, that the directors were determined to give as little as

possible, and would keep down the allowances as low as they could. Within the last few days, the company had received tenders for new ships to be built, and the lowest of those tenders was 26*l.* per ton peace-freight. It was to be presumed that the persons proposing those tenders had made them as low as they could afford. Surely then, if 26*l.* per ton was an equitable freight for ships to be employed next year, something must be necessary in the present year for ships which are engaged to sailat 17*l.* 18*l.* or 19*l.* per ton peace freight. If 26*l.* was a fair price in the present time, how could the ships in question afford to sail at their old freights?

The hon. gentleman found fault because different rates of allowance were given to different ships. This in the nature of things must be the case; and if the hon. gentleman had adverted to the reason of it, his observation must have been spared. Ships were paid different rates for different voyages, because the cost of outfit is greater in some voyages than in others. The amount of allowance for instance to a ship for repairs and other disbursements upon the second voyage, when she is still very new, must be far more than would be required for a ship upon her fourth voyage, when she needs a heavy repair. This was the whole of the history of the case, and it accounted for that difference in the rate of allowance to different ships, which excited the hon. gent's observation, and which after all could refer only to war allowances; the freight in peace being by contract one and the same for all the voyages.

The hon. gentleman complained that there were no dates given to shew when a ship's service commenced or the length of time for which she received the war allowances. The hon. gentleman was quite mistaken in his assumption. All these dates were to be found precisely stated in the company's records, and if the hon. gent. had read those records he would have found this to be the fact.

The hon. gent. had made a computation of what the company would pay if they adopted this proposal of the court of directors; and had said that it would amount to somewhere between four and five hundred thousand pounds. He (the chairman) must beg to demur to any calculation produced by the hon. gent. until some satisfactory grounds were made out for his views upon the subject. To estimate the amount in the gross would lead to no certainty; but he (the chairman) could only say, that whatever the difference might be, the court might depend upon it, from the information which the directors had upon the subject, they would have to pay less in giving some additional allowance to the ships already in the company's service than they must pay if they were obliged to take up other ships. This was a clear result from the whole of the case; upon that ground he would stand, and it was one of the grounds on which the measure was pressed on the consideration of the general court. If the hon. gent. supposed that there was any one member of the court of directors who wished to mislead the proprietors upon this subject, he was grossly mistaken. The directors had no wish whatever, of their own, upon the subject, unless that the company's interest might be consulted in the best manner. They were obliged to bring the measure forward, as in their view a matter of the most pressing urgency. They regretted the necessity of it in the year 1803; and they were actuated by the same feeling now. No member of the court, however active he might be, or however deeply interested in the welfare of the company, lamented the necessity of this measure more than he (the chairman) did: but there was in fact no other resource left than the expedient now proposed. Gentlemen might say a great deal about preserving the integrity of that system, and all that sort of argument, in which he agreed with them, as an abstract proposition: but if they meant to follow up their doctrine practically to all the extent to which it would bear upon the present ship-owners, he could not go along with them, because that would, in another and a worse way, affect the system itself. For if those owners could not sail with any thing like the peace-rate of freight now claimable, the consequences were inevitable: the company could not have the ships. They would be exposed to considerable inconvenience on this account. They must have recourse to another class of ships, and if the company were to employ new ships, even upon the same system, they would cost more than the old ones. This was the short state of the case; and, without wishing to tire the court by going into other observations in answer to the hon. gentleman's statements, many of which really had no bearing upon the question, and which, without inquiry, he might not be prepared to go satisfactory into. Ashamed also of detaining the court so long upon a subject which might be fully discussed in half an hour, he would rather sit down and hear what others had to say on the subject; but before he did so, he would, upon recollection, just advert to one or two points. Of the necessity of preserving the present shipping-system he had declared himself an advocate. Among the reasons which he had for being so, one was, the beneficial influence of it upon the finances of the company. This might be illustrated by a comparison of the rate of freight paid in,

the last year of the old shipping system 1795, which was the second or third year of war, with the rate paid on the present system in 1815, twenty years afterwards, and the whole of that period, with hardly any intermission, a period of war in which the price of all things had risen enormously. It had been the practice of the company, under the old system, to judge of the rate of freight proper to be given for the season, by the cost and outfit of a new ship in that season, of which an estimate was regularly prepared by the master attendant. The practice of preparing such extracts as are useful for various purposes, is continued still. In 1795 the cost and outfit of a ship of 800 tons was £28,337. The rate of freight at that time, exclusive of some appendages, which are much the same at both periods, was about £37 per ton. In the year 1815 the cost and outfit of a ship of the same size was 38,515*l.*, and the rate of freight, including the same appendages, 32*l.* per ton. The cost of the ship is 10,000*l.* more, the rate of freight 5*l.* less; whereas if the freight had risen as the cost of building and outfit rose, which was the practice of the old system, the present rate must have been 50*l.* instead of 32*l.*, that is, it would have been above one half more. So that at the end of twenty years of war, when all things have exceedingly risen, the freight is 5*l.* less per ton, than at the beginning, and 18*l.* less than it would have been if the practice of the old system had continued. And the amount of this saving, upon the annual tonnage of the company, it will not be difficult to compute.

It could not here be the wish of the directors to change the present shipping system. But the company were now brought to a crisis when it was absolutely necessary to act either upon one or the other mode which was in question. It was for the court to judge which of these modes they would adopt. He must say on the part of the court of directors that there was no standing still upon the subject. Their leading object in bringing this matter before their constituents was the preservation of the system, and the benefit of the company. They laid the interest of the ship owners in the back ground. They had been actuated, he must be allowed again to say, by public considerations, and he must add it to be his firm persuasion that unless the services of the present ships were retained, the inconvenience to the company and to the system would be greater than any possible advantage they could derive from proceeding to enforce the existing contracts.

With these views, he strenuously opposed the amendment of the hon. gent; and he submitted that the court ought, in justice to themselves and the company at large, to negative his proposition.

Mr. *Lowndes* requested permission to trespass on the time of the court for a few minutes. He must own he was thrown into a more awkward dilemma, than ever he was before in that court: for when he expected that the court of directors should not give the appointments of the company to their own relations, he felt that such a principle ought to apply to all men who were to do their duty fairly. Now on the present occasion, he felt pretty much in the same situation in which he had no doubt the directors were placed upon the subject of their patronage when a relation was in view. He, Mr. L. sat beside a very intimate friend of his, who was a great ship-owner, and he felt very awkward in giving a vote against his interests. But however, he would endeavour to act as an honest man, and he would not suffer his great friendship for his honourable friend to bias his candid opinion. With respect to the speech of his hon. friend (Mr Hume) he thought it one of the most luminous he had ever heard in that court. It was full of the marrow of argument. It was not like a dish of *alamode-beef*, here and there *marrow*, and a piece of *fat*—but it was in fact a *marrow-pudding* from beginning to end.—*(Loud laughter.)* He had often heard his hon. friend with great delight; but on the present occasion he had surpassed himself. But though he made this acknowledgement of the pleasure he felt from that speech, in some parts of it he differed from his hon. friend. In the first place, his speech contained an insidious attack upon the court of directors, as to the manner in which they connected themselves to the ship-owners; although he himself was one who supported the plan, but certainly to a limited extent, for the company to build their own ships. What did his hon. friend state upon this subject? Why, he stated in round numbers, that the court had voted a million of money for ship-building when only a single ship was proposed to be built. Now his hon. friend was rather incorrect there; for he did not consider where all this money was to come from. Having detected his friend in this error, he must be a little cautious in giving credit to many other things that he had stated, particularly when the hon. Chairman proved, that with regard to the subject of patronage in the appointment of captains to the company's own ships, the whole was only an illusion of his hon. friend's imagination. After this, he must be a little cautious of giving full weight to the arguments of his speech: and he must consider that the use of eloquence was frequently to make fiction like truth: and by the way if it was not for this faculty

what would become of special pleaders? —Why, they must give up their trade and go to begging. The business of a barrister was to make right appear wrong, and wrong, right,—just as he happened to be feed. Certainly it was his business to make the best of his case; and by splendid imagination and luminous rhetoric, to captivate the heart and carry his point. For himself he would rather chuse to deal with a man of plain common sense —what was called a matter-of-fact man— than with a dealer in splendid sophisms. With respect to the question before the court, there was one thing which the gentlemen who had spoken had not taken into their consideration,—namely, the immense difference between the price of materials for building ships now, and what they cost twenty years ago. Every body must know, that wood was a material necessary in building ships. Twenty years ago, the price of timber was about 3*l.* per load, whereas the price of it now was 12*l.* There was a difference therefore of nearly four times, in the article of building materials: but he begged to state, that it was a mistaken notion to suppose that the country was at peace; for that was the ground upon which the case was put. Could that be called peace, when a great general at the head of an army of 30,000 men, was now guarding the capital of the enemy, with whom the country had been at war? If this was peace, it was a *tortoise-shell* peace.—*(Loud laughter.)*—It was a sort of peace, which could not be expected to last. But he denied that it was in fact a peace; for upon what ground was it that the income tax was proposed to be continued? It was because the country was in that sort of *amphibious* state, neither in a state of war or peace. Could that be called a state of security, when the great enemy of mankind was still in existence, and might at any time break out upon us? This was Lord Castlereagh's peace, who proposed that the lion, or more properly speaking the *bear*, should be kept secure in his den; and no one could say the moment that this bear would break loose again, and renew his havock amongst mankind.

He now came to the pith of the question. If the country was not at peace, the owners of ships could not be fixed at a peace rate of freight; and it was upon that ground, considering the complexion of political affairs, that he thought the question ought to undergo grave consideration before the measure was adopted. It certainly, however, was a most material consideration when coupled with the circumstance that every article of life had increased to a degree far beyond that which the cold mind of a cold calculator could have imagined. Who would have believed, twenty years ago, that timber, so necessary a material in ship-building, would have advanced to 12*l.* a load? He was informed that other things had increased in the same proportion, and were advanced far beyond the expectation of any calculator, and consequently it was very easy for the owners to be deceived in their speculation. He had been informed that for the last twelve years, the ship-owners had been losing considerably. If they had been losing, and the owners merely made 5 per cent., he thought in that case some consideration was due to their situation. Some consideration was due to them, at least, on account of the price of all materials connected with ship-building. It should be recollected that they made their first offers with reference to the then price of materials, and therefore, if the materials had unexpectedly risen in price, it would be hard to bind them to their contracts. When Mr. Goldsmid had been unfortunately deceived in his calculations it was echoed through all quarters that some consideration was due to his situation; the same argument which applied to his case would apply to that of the ship-owners; and those gentlemen who had offered as low as 17*l.* per ton in a season of peace were placed in a ruinous situation in consequence of a twenty years' war. It was manifest that they must sustain an incalculable loss from unforeseen events, which they could not controul. The very persons who were now contracting asked 26*l.* per ton. There was therefore a difference of 9*l.* per ton upon shipping in the course of twenty years. That was such an enormous difference that whether right or wrong something ought to be done in consideration of the change of times and circumstances. Certainly the situation of the ship-owners was extremely hard, and if possible they ought to be relieved. But then came the most difficult of all; and it was that in which he agreed with his honourable friend who declared that it was impossible for this court to give the redress sought for; because, in doing so, they must act directly opposite not only to an express act of parliament, but in opposition to a system followed up with so much success, and with so much benefit to the company for many years. He would be very glad with all his heart to give the ship-owners the redress which they required if he knew how it could be done, but the company in doing so, might be right in one point of view, and wrong in another. As my *Uncle Toby* said to little *Corporal Trim*, who said, I will give half my house as well as my purse— "True," said my Uncle Toby—" thou dost very *right* as a soldier, but *wrong* as a man."—*(Laughter.)* As a proprietor of India stock, he should be obliged

to give his vote against the ship-owners; but as a man of liberality, he was with them. After the quotations, and point blank statements of his hon. friend, none of which had been denied, he did not know how the court could get out of the difficulty. Facts were devilish stubborn things, and there was no possibility of getting over them. But, at the same time, there was a great deal of reason on the score of policy in the statement made by the honourable Chairman: and the company ought to consult their own interest in what they propose to do. They ought to consider the consequence which would necessarily result to themselves.—Some of the ships in the company's service were fourteen hundred tons burthen, properly manned and rigged, and admirably adapted in all respects for the company's service; and, above all, the owners were large capitalists. Now, the question was whether the company would give up this class of ships and this class of owners for a parcel of ricketty, crazy, and ill-manned ships, and for a class of owners of little or no capital at all? It had always been considered a most important thing for the company to employ large in preference to small capitalists. So rich were the capitalists who owned some of these ships that his hon. friend said he would take a bond for £500,000 from any three of them. On the score of policy, it was certainly prudent for the company to employ large capitalists. This being the case he certainly thought it was better for the court to take time to turn themselves round, and not come to too early a decision upon so important a question, in the hope that unanimity, so essentially necessary in such cases, might prevail in the court. He thought that by pausing a little to consider the situation in which the company were, more service would be done than by coming to the question upon the resolution of the directors, subject to an amendment.—Firmly believing that delay would have a very beneficial effect, he hoped that the business would be postponed to some other day, in order to have some time to consider the subject. Certainly from the facts which he had heard, and from the alteration in the price of building materials for the last twenty years, he should be sorry to see the court reduced to the necessity of acting like *Shylock*, in the Merchant of Venice, by insisting upon "the bond, and nothing but the bond." The company no doubt might insist on "the pound of flesh;" but the question was whether they would "cut off their nose to be revenged of their face?" By enforcing the bond they must certainly subject themselves to great inconvenience. No doubt they were in a very awkward situation, and it was difficult to determine which course to take. They were something like the clergyman between the roasted pig and the pretty girl—*(loud laughter,)*—their inclinations pulling them both ways, but undetermined which appetite to indulge. It was certainly a very hard case upon an impoverished company, to put their hands into their pockets and take out so large a sum of money as this measure required. But then they were to consider whether they would not spend to spare; for as the hon. gentleman had truly stated, it would in the long run turn out to be a measure of economy. The ship-owners were undoubtedly in a very different situation on account of the enormous price of building materials, and the great increase of the wages of sailors: and these things must be taken into consideration, whether the present ships were detained or new ones employed. This being the case, he did hope and trust that time would be given to the proprietors to consider if there was not some more convenient mode of getting out of their dilemma. If the court came to a decision he certainly should not vote with the ship-owners, for he was one of those who, though he had a friend at stake, would not vote contrary to his principles. Having met with more attention than usual, on the present occasion, and received so impartial an hearing, he must acknowledge the high honour which the court had done him in imitating his own impartiality.

The Hon. Mr. *Kinnaird* said he should not have risen on the present occasion, but lest it might be supposed that there was any indisposition on the part of those who had, on more than one occasion, expressed themselves from a sense of duty, to offer their sentiments upon this subject. He therefore now offered himself to the notice of the court, that it might not be inferred he agreed with the court of directors upon this question. When the subject was introduced on Wednesday last, he viewed it as a very questionable point, and he would not then forejudge the question, but would reserve himself for the present debate. He did really believe that a more able and less inflammatory speech—a speech abounding more in facts which were within the knowledge of every director, and which might be within the knowledge of every proprietor—than that spoken by his hon. friend (Mr. Hume,) was never delivered to any audience. The reasoning too, and the conclusions contained in it were drawn from the very documents under the eyes of the court. He spoke not in those terms of that speech, in order to flatter his hon. friend. He spoke not of his talents, great as they were; but of his sound judgment. His hon. friend had

not drawn upon his ingenuity, but upon his good sense; and if he was listened to by an impartial audience, who would attend to common sense, and who would forego every feeling which might have arisen in their hearts from partial or interested motives, they could not have heard the important speech addressed to them, without being deeply impressed with the weight of its matter. If the court had not been hitherto convinced, they must now be satisfied that the proposition of the court of directors was one that could not be maintained. He (Mr. K.) was convinced that the report contained abundant answers to every thing that could be urged in favour of the measure, and he was persuaded that if the company were to agrée to this resolution, and present a petition to parliament thereon, it would not only be rejected by parliament, but the court would find that it could not be read in the House of Commons, without every member rising and saying, that the report of the committee was one tissue of reasoning for maintaining the shipping system as now kept up by the India company. A more able report he never read upon any subject. It was founded upon the most conclusive principles, and he could not point out a single exception which would excite any doubt whatever of the necessity of supporting that admirable system which had not only been eulogized in point of practice, but was found in principle the best adopted to the concerns of the company. A departure from it, in any instance had been found to be attended with the most injurious consequences. The report throughout contained the most cogent reasons for its inviolable preservation: and upon that report he would stand in determining this question. What was there, he asked, to support the proposition in defiance of the report? It was brought forward without a single reason or a single statement to justify the departure from the rule laid down by law. The utmost that had been urged was general usage; but the moment the report came to be read, there could not be found a single reason for maintaining that ground. What had the court of proprietors a right to expect from the directors to induce them to consent to this unprecedented measure? The least they had a right to expect was a statement of the case of every individual owner laid before them, in order that they might have some ground of excuse for going directly against that admirable rule which has been laid down. But what was the case? The proposition was made to the proprietors without any one of these particulars submitted to their notice. They were called upon to go to particulars generally to enable the court of directors to get rid of the acts of parliament, which prevented them from relieving the owners, and they were to go in a lump—to do what?—not to relieve the proprietors from any of their burthens, but to break through a system adopted for many years, and to go to parliament to—do what? To induce them to grant a large sum of money to be at the disposal of the directors, according to their discretion. Was the sum of money mentioned? No, it was not. The court of directors did not think it necessary to tell the proprietors what was the amount of the sum they meant to go to parliament to ask for permission to take out of their pockets. They did not think it worth while, he presumed, to make any calculation. His hon. friend had made a calculation that the first year would cost £180,000, and that the least expense would be £500,000. What did the hon. chairman say in answer to his hon. friend's request upon this subject. In the first place, he denied his hon. friend's calculation: but then what reason did he give for withholding this information from the proprietors? Why, least the ship-owners should become acquainted with the amount of allowance intended to be given them. What situation were the proprietors in, if they were to be refused this information? What! Were they to be told that the ship-owners demanded additional freights to an enormous amount; some of them perhaps ten or fifteen thousand pounds each; and yet the proprietors were to have no information as to the whole extent of the demand? If this was the way in which the court was to be treated, they were indeed reduced to a very degrading situation. There must be some secret system—some manœuvring going forward, with respect to which it seemed to be convenient to keep the proprietors in the dark. There was not one single statement of the amount of this evil. Not only did the directors refuse to tell the proprietors what the sum was, but they would not even give them any notion of it, within ten thousand pounds. It was to be left entirely to the direction of the directors, and they were to be at liberty to dispose of the company's money just as they pleased. His hon. friend had very truly stated that this proposition was against the bye-laws, and against the act of parliament: but how did the hon. chairman answer all this? Why by telling the proprietors "that that might be all very true; but unless you, the proprietors, give us this discretion your affairs will come to a stand." Would the hon. chairman venture to go to the House of Commons, and tell that body, that if they did not give the court of directors a discretion beyond the law, that they could not carry on the affairs of the company? Surely

the hon. chairman would hardly have the courage to do that. The hon. chairman confessed that at present the directors had no power to exercise this discretion, and that, therefore, they must go to parliament to ask them to give this discretion. But did the directors pretend to prove that there was any necessity for this discretion? Why, if the directors thought proper to ask for this discretion, it was but decent that they should shew some reason why they should have it. The very object of the present system was to divest the directors of all discretion in these matters; and yet the directors themselves told the court that it was one of the most odious things to take away their discretion; and they grounded this observation upon their own virtuous and honourable motives. Now he (Mr. K.) thought that this was a discretion too dangerous to be left in the hands of any set of men, however honourable and virtuous they might be, because it was impossible to say that they were free from the influence of temptation. The hon. chairman's speech was full of the most extraordinary inconsistencies he had ever heard of. He, the hon. chairman, said it was almost impossible not to foresee, that at the end of the war very great changes would take place, and extraordinary difficulties would occur. These, he said, were distinctly foreseen; and yet foreseeing all these difficulties, the directors entered into contracts with different ship-owners. They foresaw all these difficulties, and yet they did not at all provide for them. "Those difficulties," said the hon. chairman, "were quite clear—we foresaw them, and we foresaw that this must be the remedy for them." Now, if this had been the fact, he wished to know how the court of directors could confine themselves to that which they did in 1803? Why did they then go to parliament, and why did they consent that they should be restrained so clearly and positively in their conduct? If they foresaw this evil, why did they not then represent it to parliament? and why did parliament restrict them within certain limits? Surely if they had foreseen those difficulties, they could easily have provided against them; and if they had not foreseen them, why should the act of parliament be so cautious? The reason was quite obvious. They had not, in fact, foreseen these difficulties. What was the answer given to his hon. friend when he read the act of parliament which restrained any additional allowance to the fixed rate of peace freight? Why, the hon. director met it by saying, "aye, but here is one act of parliament against another." His hon. friend contended that this act allowed no exception from the general rule; and then the hon. chairman said, "Here is one act against another, and although the act relied upon by Mr. Hume, does lay down the positive rule, yet here is another act which makes exceptions from that general rule." But the hon. chairman did not condescend to consider the meaning or the words of the act of parliament; instead of which he referred to the report of the committee of 1803, and insisted that that report was made under precisely similar circumstances to those which existed at present, and that it was framed in the confident expectation of a very long peace. But the hon. chairman's argument founded upon the report itself failed him, when the act of parliament came to be considered; for the act made the case ten times stronger against the hon. chairman's position. The hon. chairman relied upon the circumstance of the report being drawn up with a view to peace: but what did the act of parliament say? We wont concede to you any thing in conformity to these views: you who have accompanied your application with such reasons as you have stated, must now be told that there shall be no exception on the termination of war—no, says the act of parliament, there shall be no exception; you must take care and abide by the positive provisions, whatever they may be; we will only have this power given to you, with a view to actual war, or preparations for war: and if you find yourself at the end of a war, to be in any difficulty we will oblige you to go on as if there had been no peace." This was what was told to the directors by the legislature, who expressly guarded themselves against the variation of prices following the termination of war. The hon. chairman had said, that tenders had been recently made at 26*l*. per ton, and that the directors had proposed to offer this as a peace-rate of freight to the owners.

The *Chairman* here interposed, and said, that he did not mean to give any opinion on the subject. All he said was that this was the lowest tender which had been made.

Mr. *Kinnaird* said he had also understood the hon. chairman to say, that the directors approved of 26*l*. as an equitable rate of peace-freight. He (Mr. K) knew that there had been a great variety of tenders made: some even as high as 33*l*. Certainly the directors would be bound by law to close with the lowest tender: but what security would the court have against a similar application to this court two or three years hence, if it should turn out that those who had now made a tender at 26*l*. per ton had been mistaken in their calculations? Was the hon. chairman prepared to say that he would not come three years hence and state that those who had contracted now

were unable to perform their contracts because they were mistaken in their calculations? If a precedent was good now, it would equally hold good at another time. The argument urged now was that the owners had made their contracts upon false calculations. This was the plain proposition upon which the claims for additional allowance was founded. If the hon. chairman was not prepared to say that the like application would not be made three or four years hence, it would be something like an act of injustice towards those who should now be employed; for if the precedent was good it would be treating one set of contractors in a different way from that in which others were treated. Much had been said about this system: what was the system, and what were the advantages of it? In the first place it gave the directors no discretionary power, and it secured to the company ships at a certain fixed rate of freight. It gave to the company the power of taking up contracts for time. What was its next advantage? It was a system of open contract which was not only beneficial to the parties who were to be served, but also to those who gave their services. The object of it was to produce a fair and open competition to all those who were desirous of engaging in the company's service; and the principal advantage of it to the company was, that it obliged those who entered their service to bind themselves by solemn contracts to perform their engagements, so that they might be all treated alike, and there might be no afterclaps. The object of these contracts was to prevent the company being at any time exposed to the vicissitudes of uncertain engagements, and to secure for a certain time, under all circumstances, the services of ships at a positive fixt rate of freight. The excellence of the system was that the owners could be compelled to perform their engagements under all difficulties. There was no power, either in the court of directors, or the court of proprietors, to absolve the owners from their engagements. For in vain would such contracts be entered into if the parties had at all times the power of breaking them: and yet this was what was proposed by the court of directors. There could not be a plainer rule of conduct than to call upon these parties to give up their contracts if they did not think proper to perform them; but upon condition of their being answerable for the consequences. Who were to be benefitted by this proceeding? Why the ship-owners alone. They were to be at liberty to break their contracts because they were too advantageous to the court of proprietors. Suppose they had been disadvantageous to the company, would any one endure the proposition that the court of directors were at liberty to break their contracts with the owners? Surely, then, if the same rule was to bind the company it ought equally to bind the owners. Both parties entered into the contract for better or for worse. If the company could not be delivered from a disadvantageous contract without the grossest injustice, all the company asked was, that the same principle should be applied to the owners: but, no, that was not the proposition. The company were to take all risks upon themselves; and if the chances happened to be in their favour, it was all very well: but if unfavourable they must patiently endure all the consequences: while on the other hand, the moment the owners found their contracts to be ruinous, that moment were they to be at liberty to break them with impunity. They might keep them so long as they enjoyed the advantage; but the moment that fortune frowned upon them, they were to be absolved from all responsibility.—There were two distinct grounds upon which he objected to this proposition, and they were entirely distinct. In the first place there had yet been no reason given for its adoption. The proposition was to relieve men who after a solemn consideration of the contracts into which they had entered, came to the court to demand permission to give up their contracts, or have such additional allowances as would be equivalent to the sacrifices they must make, if their contracts were rigidly performed. As to the principles of this, in the abstract, his objections might possibly be removed, if any sufficient reason could be given. But none such had yet been assigned. The court knew nothing of the circumstances of the ship-owners. Did they come to the court *in forma pauperis*, in order to appeal to the *humanity* of the court? or did they come to demand this as a right? To these questions no answer had been given. All that the court had was the solemn assurance of the court of directors that these additional allowances were necessary. But why should the court depart from a fixed general rule, without a sufficient explanation of the necessity for that departure? Did the court of directors suppose that the House of Commons would permit this measure to go forward upon their bare statement of its necessity? The court were told that the directors acted, to a certain degree, upon their responsibility, and that their conduct was open to investigation. No doubt the directors might be conscious of their own good intention; but how could the proprietors fairly consider this subject, unless they were allowed some grounds to proceed upon? It was very likely that the court of directors, when they enter-

ed into contracts with the owners, acted upon principles of equity and justice: but if the terms which they made were liable at all times to be broken, accordingly as times and circumstances altered, of what use were such contracts at all? If the principle now contended for was a proper one it should be fairly recognized by act of parliament. Let it be adopted as a rule that the owners might, under such and such circumstances avoid their contracts, and that under other particular circumstances they should be held good, and then he would be quite satisfied, because then the company would know what they had to expect. But there was an express act of parliament, prohibiting this principle and declaring that it should have no effect except in the case of actual war, or preparations for war. "There," said the hon. chairman, "there was no occasion for that because the act of parliament of the 39th of George III, already granted that permission." As that was the case, said the directors, we need not go to parliament for additional powers, because the report went upon the ground of peace. But it was very extraordinary that the act of parliament proceeded upon the idea of their being a state of war. "We are cautious," said the legislature, "because we cannot say there is a state of peace; and therefore it is that we say, you shall not have the power of granting additional allowances, except in a state of actual war, or preparation for war."—But here was the extraordinary situation of the case. The directors took upon themselves to say that provisions and stores would not fall to such a price so as to make these beneficial contracts for the owners. He begged to ask upon what grounds did they proceed—how were they to apportion the allowances with any principle of justice towards the company? It was proposed to take each contract into consideration. The directors were to allow the owners all the profits which they might have made during the existence of their contracts for four or five years, perhaps, out of the six; and then for the sixth, they were to give them the additional allowances. Could there be a more unjust principle than this? He would suppose that some of the contracts were made for six years. Four out of those six were years of extraordinary profit, but the next two would be years of loss, and for those two the owners were to have all manner of indulgence, without any reference whatever to the profits of former years. Now, he (Mr. K.) in order to be satisfied that the owners were intitled to any relief at all for those years, must know whether their profits did not exceed any losses they might have sustained.

The *Chairman* said, that there was a certain fixed principle of allowing something to the owners for a first, second, third or fourth voyage.

Mr. *Kinnaird* said, he appealed to the court, whether this was not a most extraordinary thing, that they were to be told there was a certain principle for regulating these cases. This was rather inconsistent with the information which the proprietors had outside the bar; for they were told that there was no fixed principle.

The *Chairman* said, he thought he had explained this already.

Mr. *Kinnaird* said, that there was to be a principle for regulating precisely the profits of the owners according to the number of voyages. Now, here was rather an extraordinary case. This was the very principle against which he was contending. The system upon paper was this:—You, the ship-owner, before you enter into the contract with us, are to make up your mind as to the price for which you can afford to hire your ship for a given time. You are to state the terms by which you mean to be bound. But what was the doctrine now contended for, and the principle admitted by the hon. Chairman?—Why it was this:—yes, it is very true your contract is so and so, but we will allow you so much additional for your second voyage, so much for your third—and so on until the contract is expired. But for what reason was this done? Why because the owners said truly, they could not perform their contracts without such allowances. What!—were the company to act upon the evidence merely of the ship-owners themselves?—Were they to take their information from an interested party who might find it convenient to make out a case of great hardship and distress? But why were the company to confine their calculations merely to the losses of the owners, without at the same time casting up their certain gains? If the directors were to make a calculation of what the owners lost in three years as a mode of average, why were they not also to make a calculation of the profits of the three preceding years? Really this was a most alarming principle, in the dispensation of justice. The company were to have an enormous sum taken out of their pockets to indemnify the owners for the losses of money which they had calculated upon making by their contracts. They were to pocket all the advantage of a winning game, and to be indemnified for a losing one: and yet the hon. chairman called this, "acting upon principles of equity and justice, towards the owners." Really, he never heard such words so grossly misapplied. What!—the owners were to come, at the end of three or four voyages, and claim a sum of three or four thousand pounds each for their own miscalculations! surely the

court of proprietors would open their eyes and arrest the progress of so ruinous a system. Well, admitting the necessity of doing something for the owners, that would bring him to his second objection, which was to the enormous discretionary power with which it was proposed to vest the directors in the disposition of so large a sum of money for the relief of the owners. Surely if the proprietors were to adopt the principle that some relief was necessary, the least they had a right to expect was some certain ascertained mode of administering the relief. What was the case submitted to the court by the court of directors? Here was a certain set of gentlemen who had contracted for a certain number of ships, in the confident expectation of making large fortunes by their contracts; many of them had amassed considerable wealth; but if they had not, they were upon every principle of law, bound to take the loss upon their contracts. If they had contracted too low, it was their own fault, they must take the loss, for they entered into their engagements upon the chance of variation in the prices of stores. The court, however, must presume, until the contrary was shewn, that they had derived great advantage during a certain portion of the time for which they had contracted. Well,—but the court was now in this situation, that the owners refused to fulfil the rest of their bargain, and were content to pay the penalties, as the wisest course they could pursue. But it was then said, that it was in the power of the company, if they chose, to continue them in their service, by paying them the difference of the price which it must cost the company to take up other ships: and then the court of directors applying to the court of proprietors without any other reason for the proceeding, than that it would be cheaper to enable the present owners, by reasonable assistance to perform their contracts, than it would be to enter into new ones. Cheapness was entirely out of the question; for it was not 1000*l.* one way or the other, which was a consideration with the court. No doubt, the court would rather pay 200,000*l.* than 500,000*l.*; but the question was whether or not the shipping system should be inviolably preserved? For his part he would rather preserve the system under any disadvantage than allow 100,000*l.* to be paid in the manner proposed. But the hon. chairman, insisted that by this measure the company would not only save money, but it would preserve their system. Really, he could not comprehend the force of the argument; for it was no less than this. You must *violate* the system, in order to keep it *inviolable*,—you must *destroy it*, in order to *preserve it!*—The hon. gentleman's argument involved a complete contradiction; for he could not possibly maintain his first position without destroying the other. The principle which applied to all other transactions of the like kind in the mercantile world, applied to this. The maxim of the system was open competition. An honest and well intending ship-owner meaning to act conscientiously toward the company, had a right to say to his speculating neighbour, "you have offered much too low: I know you cannot afford to hire your ships at such a price. I hope you will suffer for it, for you really hurt the trade; for it is a mere speculation of yours. It is a deception upon those who employ you; and you have prevented those from entering the service who would perform their contracts conscientiously." Now, this was really the evil of the system, and it was no argument to say, that those who gave up their contracts would be supplied by others in their place; for if the company encouraged this principle of allowing men to give up their contracts, it would destroy the system of open competition, and would place the company continually in the power of the ship-owners. Admitting it to be true, that the present ship-owners could not sail at the price stated, what protection had the company from the continual operation of this evil? If by the present competition, the company gave the owners too low a price, and they were given to understand that if their speculation failed, the company would give them money to enable them to carry it on, the company would be always exposed to the inordinate demands of the owners; and this was the argument of the hon. chairman, for he candidly told the court, that they must be placed in this situation if fresh contracts were entered into; therefore, it was clear that the company were placed completely in the power of the ship-owners, for the hon. chairman openly used the argument himself, and said, "if you do not adopt this mode of satisfying the demands of the owners, you must be obliged to send your goods out in a ruinous and bad description of ships." But he should expect, in common candour and common deference to the proprietors, a better answer to this proposition than had been given. The case was urged upon the ground of economy. That was the argument, and the sole one, upon which it was pressed; but he wanted to know what there was to prevent the company from exacting the performance of the contracts from those who did not chuse to go through with them? Why was this to be left to the discretion of the court of directors, whether they would prosecute the ship-owners or not? At present, he wished to know on what grounds these contracts

were to be given up, unless it was with reference to the particular circumstances of each individual case. If a ship-owner made a large profit from his ship, he should look with a very different eye to the situation of the man who had been dealing with the company only for two years, and during a period when the whole severities of a war were pressing upon him. This was the view in which he would wish the situation of each individual owner to be considered; but he could not consent to the establishment of one sweeping precedent, which would at all times be called into operation, under similar circumstances, without any reference whatever to the particular grounds of its application. The hon. chairman had contended, this measure was proposed precisely upon the precedent of the year 1803, but he (Mr. K.) denied that was a precedent, and he objected altogether to the doctrine of precedents, because it tended to confirm that which was originally bad in principle. But, in fact, the reasons for which the measure of 1803 was adopted, totally failed at the present time.

From what had fallen from his hon. friend (Mr. Hume) very serious alarms were excited in his mind with regard to the shipping committee, whose proceedings appeared to be extremely irregular. His hon. friend had, with great research, found out different opinions in different parts of the service. He had found out Mr. Adam had on one occasion told the company that they might grant allowances, and that the directors might regulate them according to their own discretion; and yet in several years afterwards he gave a very different opinion. He did not wish to decide the question, whether Mr. Adam's opinion was as good as his hon. friend's, or to set up his hon. friend's opi ion against that of Mr. Adam; but he thought that the opinion of any man of common sense was as good as that of any lawyer upon such a subject. He wished to ask the court what the opinion of Mr. Serjeant Bosanquet was, if the opinion of Mr. Adam was right? or, in other words, what was the opinion of Mr. Adam if Mr. Serjeant Bosanquet was right? The opinion of that learned gentleman appeared to him to be a very sound one; but he would undertake to say, that the opinion of Mr. Adam, in the year 1807, was not borne out by the opinion of the present standing counsel of the company, for he took it to be impossible for the hon. chairman, with all his ingenuity, to reconcile these two opinions. The hon. chairman took occasion of giving the court an instance of his hon. friend's imputed want of candour in the mode of treating the subject; and according to the maxim *ex uno disce omnes*, he formed his opinion of the whole from one. The court might apply the same maxim to the speech of the hon. chairman, and from one they might judge of the whole of his sentiments. He (Mr. K.) gave the hon. chairman great credit for taking the words of his hon. friend in a literal sense, when he said, that he believed the present shipping committee had not read the report of the shipping committee of 1803. It was very true his hon. friend had said so; but it was only as a charitable interpretation of the conduct of the present shipping committee, who, he said, could not possibly have read the report of the committee of 1803; for if they had, they could not have subscribed the report which contained such invincible reasons against their own proceedings. His hon. friend had said, that the committee would not come armed against themselves, as they really did when they rested upon that report. The hon. director had alluded to the case of the Astell in answer to what his hon. friend had said, but the explanation given, was very unsatisfactory. For his own part, he thought, that in that case, the act of parliament had been grossly violated; for, in that case, a different rate of freight was given from that which was given to the ship in lieu of which it was substituted. He would be glad to know by what authority an additional rate was then given, in prejudice to other owners? for he was now speaking on behalf of the ship-owners only; and this, in fact, was the real drawn question. It was not with parsimonious views that he objected to this measure. He stood up alike for the company as for the ship-owners; and therefore he should propose, as the only safe remedy that could be pursued, in order to preserve the principle of the system, that the penalties should be enforced, and then that the ships should be thrown open amongst the owners, and fresh contracts entered into. It was not his wish, from parsimonious views, in order that the company might profit by them, that he opposed the present measure. His object was to stand up for the ship-owners in general who were connected with the India company, and whose interests were in general identified with them, because he thought that by so doing the company would attach to their interests persons of consideration and character. This, he thought, was the most prudent course to pursue, as well for the protection of the system as for the advantage of the owners; and he was quite sure that the interests of the company and the owners at large was so much the same, that if the system was departed from, each would depart from their

own interests. If the proposition he should make was not adopted, there could be only two reasons given for it. The one was, that it would be more economical to act the other way. If this argument were urged, then he would ask the directors to state what was the amount of the evil? At present, they had given no statement of the amount. If the plan he should propose was adopted, there would be no necessity for going to parliament, nor any necessity for breaking through the system. Breaking through the system was admited by the hon. chairman himself to be an evil. Therefore he did fairly assert that this was not a question between the proprietors and the directors, and he should propose that the point should be discussed, with a view to the ultimate interests of the company. He should recommend that the directors should make a calculation of what would be the difference between the expence of the plan proposed, and the maintenance of the system as it was now established by law. If they should decide in favour of the established system, there might be a loss of money, but a loss of money only, and that occasioned by a variation of prices not foreseen. On the other hand, if they pursued the other plan, they would break through the system itself, and they would do what, in his opinion, was as bad; they would expose themselves to the ridicule and the hostility of the House of Commons, for they would never consent to the measure of putting into the hands of the directors a large sum of money to be distributed at their discretion; and certainly he, for one, would advise the directors to look at the case seriously in that point of view; for however pure their discretion might be, it would be extremely unwise for them to take upon themselves the odious responsibility of dispensing among the ship-owners so large a sum as £200,000. For their own sakes they ought not to lay themselves open even to the imputation of improper motives; and this was one of those cases where discretion and the use of money coming together, produced very dangerous consequences. It appeared to him, therefore, to be wise in the directors not to place themselves in that situation. It was even the wish of the proprietors that the directors should be placed beyond the reach of suspicion, to which they would inevitably be exposed if they took upon themselves this awful discretion. He advised them therefore, by all means, to adhere strictly to their established system, for although the other might be safe, yet this was safest. They should make a calculation of what the difference would be in the one case and the other, and avoid by all means any appeal to parliament, who, they might be sure, would not second their wishes in breaking down a system, the perfection of which was that it admitted of no exception. He concluded by stating, that he felt himself bound to support the amendment of his hon. friend, because he thought this course was for the interest of the company, whose interests were inseparable from those of the ship-owners.

Mr. *R. Jackson* rose to propose a motion of adjournment, on account of the lateness of the hour, and his unwillingness at such an hour to occupy the time of the court at the length to which he felt himself bound to address the proprietary. He had no personal convenience to consult; but after what had occurred in the course of this debate, he thought it would be expedient for the court to adjourn for a time, in the hope that some other measure might be fallen upon, more congenial to the general sentiments of the court than the one now proposed. Unanimity was a desirable object, but which he feared could not be attained under the present circumstances of the case, and therefore he should hope that the court would accede to a motion of adjournment in order to have the matter more deliberately considered, and that some other expedient should be proposed, more likely to give general satisfaction. He therefore moved, "that this debate be adjourned until this day week." He had strong hopes that some measure might be adopted for the relief of the owners, without violating the sacredness of the system. Above all things he should recommend the court to abstain from going to parliament, where they might expect the subject would undergo that discussion which would neither be agreeable nor creditable to the court of directors. If the question were now pressed, it would not be said to be a fair decision; for many of the most respectable proprietors had left the court on account of the lateness of the hour, and indeed it would be rather indecent to press a decision in their absence. With these views, he moved the adjournment.

Mr. *Lowndes* seconded the motion, and urged the propriety of steering between Scylla and Charybdis; recommending to the court to act upon the good sense contained in the maxim, "*in medio tutissimus ibis.*" Unanimity could not be hoped for upon the present question, which tended entirely to break down the company's system; and agreeing in the good sense of his hon. and learned friend's observations, he thought it would be prudent to withdraw the present motion, with a view to have the question re-considered on a future day, in a less excep-

tionable shape. His objection was founded upon the principle of resisting the establishment of a precedent, which in the result must be attended with the worst consequences to the company.

The *Chairman* rose to explain. He must say, that an adjournment of the question at this late season of the year would be attended with great inconvenience. If he saw any necessity for it, he would readily acquiesce in the motion, but as it appeared to him there was no solid reason for further delay, he thought it would be improper to consent to a postponement. The subject had been very fully discussed, and he could discover no advantage likely to arise from further adjournment. The time of the present direction was now but short, and he did not see the possible chance of arriving at a different conclusion from that which the court were now prepared to form. Postponement would be only an interruption for a time of that proceeding, which the necessity of the case required. It might give an opportunity to some gentlemen of expressing their sentiments, which might as well now be expressed, and could not make the case plainer than it was. The hon. gentleman who spoke last *admitted that there was a necessity in point of principle for relieving the ship-owners*; but what did the hon. gentleman propose? He proposed that the company should make the present owners forfeit their bonds, and should throw open the contracts they had to the body of owners, in order that fresh engagements might be entered into, and the hon. gentleman said it would be the best way to put an end to the present contracts, because, in so doing, the system would be preserved, and it would be attended only with a loss to the owners themselves. But the hon. gentleman seemed to have forgotten what the consequences of such an expedient would be to the company. With respect to them, it would only be one of the inconveniencies they would have to sustain, that they would be divested of a class of ships which they could not, without a long interval of time, command elsewhere. For if the ship-owners were treated in the rigorous way he suggested, though it was true they might patiently bear the loss which they must sustain, that is, the loss of the employment of their ships by the company, and in any other line for which they were not adapted, being indeed fitted solely for the company's service, yet as the same ships would be the readiest which the company could employ, it was not to be expected the owners would re-let them below the price of the day, which would be more than the allowance now in contemplation to be given. It was easy to say, "throw open the contracts and make new ones." But suppose all the owners of shipping should take the alarm at such a proceeding, and no one should offer to enter into the company's service upon any terms that could be advantageously accepted, in what situation would the company then be? Why, they would have divested themselves of a whole class of ships which they could not replace without submitting to larger sacrifices than they were now called upon to make. The question for the consideration of the general court was, whether they would drive the present owners to throw up their contracts, and place themselves under the necessity of resorting to new contracts upon more disadvantageous terms. Supposing the present owners disposed to make fresh tenders after such treatment, would they not naturally insist, would they not have a right to insist upon the present rate of freights? They would have that right, and if the company did not comply with their terms they must go without those ships, and supply their wants in any other inadequate way that remained, or suspend their trade. If this mode of dealing was adopted towards them, it might then indeed be truly said that the company were in the power of the owners as to the amount of their tenders. The course recommended by the directors was proposed with the view of avoiding that situation. They thought they consulted the interest of the company in proposing to give to the owners such reasonable allowances short of the present rates of freight, as might enable them to sail their ships, and thus to secure their services to the company. The suggestion of the hon. gentleman might approach nearer to the rigid letter of the existing contracts, though not entirely, because the owners might be prosecuted for the loss of the service of their ships, but the expedient perferred by the directors was on the whole a great deal more safe. For what was the effect apprehended from it? The infringement, it was said, of the present shipping system. What would be the operation? Relief only to the present ships. New engagements would be made on the established principle of a permanent peace freight. And this sort of exigency which had now occurred at the end of thirteen years, could not occur again till not only the present peace, but the war that should follow it, should come to an end—a period, it might be hoped, of many years, during all which, the system would be safe; and it would be left to the circumstances of the peace that should follow the next war, to determine what was then fit to be done. Was there not here pretty good security for the system?

It was not, indeed, easy to explain in

a few words all the bearings and dependancies of this question. But the short state of the case was, that the company would be relieved from all that trouble and difficulty which he had pointed out, by following the expedient now proposed. This was not so much the concern of the directors, as of the owners and of the proprietors. With respect to himself, he had no personal interest in the subject; whatever might be the advantages or difficulties of either alternative in view, he could share but little in them, as he was, in the usual rotation, about to retire from the direction. The responsibility, indeed, which might attach to him for the part he had taken in this affair, he would by no means shrink from. He had no motives for his conduct, but those of a public nature. He did not wish to bring unpopularity and odium on the present shipping, by straining it to a point never in contemplation when it was adopted. He did not wish to bring ruinous loss on the owners, where the company's interest, instead of requiring or benefiting by that step, would also be injured, and he believed the court of directors acted under the same views and impressions. If it were surmised that there was any shipping interest generating this measure, it was an unfounded unworthy suspicion, and a hard return for the honest performance of duty. The court thought the measure was grounded upon expediency and policy: and was that which seemed best calculated in the result to benefit the company. They looked to the necessity of the case; and after considering the subject in its different views, they resolved upon that which seemed to be the wisest course to pursue. Looking to the precedent of 1803, they went entirely upon the same general grounds upon which the measure of that time proceeded; the ship-owners did now as they did then, lay their case before the court of directors. It was precisely a case of the same nature as the former one. It required relief at least as much, and the court seeing there was only a choice of difficulties, chose the alternative which they thought had less of evil and more of good than the other, and in which they felt themselves fortified by the principle and the practice of 1803. The act of that year had properly limited its own operation to the case before it, and here was an additional security to the system, that the consent of parliament to any subsequent measure of the same sort was necessary; and hence the proposal now brought forward to apply for the sanction of the legislature in a case which, however it might be attempted to distinguish it, was precisely the same in its nature and principle, and therefore equally recommended by sound discretion. He wished to stop himself from making any further observations upon the subject. He believed that all the consideration which it could require, had been bestowed on it by the directors, and they would come to no better conclusion than that which they had submitted to their constituents, upon all the grounds already stated. And all those grounds having been already discussed, he certainly thought there was no occasion for suspending the debate any longer; but it was for the court to judge whether they would now go on or not. He could only repeat, that delay at this late season of the year would be very inconvenient, and the more inexpedient when no solid advantage could be derived from further deliberation. The question was clear and intelligible, and he could not doubt the success of the application, if it were brought under the due consideration of the legislature.

Mr. *Jackson* explained that he had suggested the adjournment in order that his hon. friend's (Mr. K's.) proposition might be matured. He did not say, however, that his hon friend's suggestion actually met with his own (Mr. J's) approbation. But as his hon. friend had put it hypothetically, it certainly deserved consideration. At all events, he thought any expedient would be better than that of going to parliament. It was for the court to judge how far it was advantageous, at this time of day, to press the question, when it was known that most of the proprietors had withdrawn, and when most of the gentlemen present were known to have an interest in the question. He did say, that a question involving the interests of so many proprietors, ought to be decided by the greatest number that could be collected together; and a delay of three or four days, more or less, was not a consideration which ought to influence the decision of the court.

Mr. *Stewart Hall* thought that as the company had acted unanimously on former occasions, they ought to act equitably now. The ship-owners having come forward in a candid and open manner to state their claims upon the company, he thought the company were bound to give the subject due consideration: and if they found their case to be really such as had been represented, they would act justly towards them, by granting what the direction should think right and equitable. As to the system, and as to the act of parliament, little need be said, and that little would be sufficient for all purposes: namely, that there would be no departure from principle, nor any transgression of the act of parliament, in applying to the legislature to grant that which they had formerly granted. He had felt a good deal

for the court of directors, in consequence of what had been said upon the subject of discretion. He believed that the court of directors had always done their duty by the proprietors to the best of their judgment: and if it had been their habit at all times to do their duty according to the best exercise of their own discretion, he could not conceive upon what principle the court ought now to distrust them, in the exercise of that discretion with which it was now proposed to vest them. They acted upon their responsibility, and their conduct was always open to the inspection of those who suspected their integrity. A number of expressions had been used in the course of the debate, which tended to excite a prejudice against the directors, and which appeared to him to be unjustifiable. It was insinuated, that in submitting this measure to the court, they were influenced by the desire of extending their own patronage and of claiming a discretion for purposes of abuse. It was insisted that the greatest jealousy ought to be entertained of their conduct, and that they should be watched with the most scrupulous suspicion. Now really these observations did not come home to his feelings, either from what he had read or heard of the conduct of the court of directors. For his part he thought it was absolutely necessary, that the court of directors should have that discretion which every man wished to exercise, when he wished to discharge a conscientious duty. He made this observation because he felt that the best interests of the company would be sacrificed unless the greatest confidence was placed in the integrity and good intentions of the directors. Most heartily did he wish to see a perfect agreement and harmony subsisting between the proprietors and their executive body; he therefore deprecated the idea, that there should be any jealousy excited against them; and he was very sorry to find, that reflections, as lamentable as they were unjust, had been frequently dealt out to them—(*name! name! from several voices.*)—He did not wish to say, from what quarter those reflections had been thrown out; probably some of them might not have arisen from any other source than the heat of debate; but he would wish that gentlemen who spoke in that court, would feel that even in the heat of debate, there was some deference to be observed toward the executive body. The chairman had, in his opinion most satisfactorily explained the grounds upon which this measure was proposed. Those grounds appeared to him to be conclusive, and therefore he conceived that the court might determine the question without any adjournment, and God knew there had been enough said upon it, to satisfy any reasonable person on the expediency and necessity of the measure.

Mr. *R. Jackson* said, he should have thought, that the motive which had induced him to propose an adjournment, would have been met by a corresponding feeling on the part of those who opposed it. The only motive which he had in recommending to the court the adoption of this course, was the sincere desire of seeing unanimity prevail between all parties upon this important subject; but since the hon. gentleman who spoke last, and those who thought with him, chose to urge the present mode of proceeding against the sense of what he trusted was the majority of the court upon this subject, he should avail himself of the opportunity, late as it was, of recording his protest against the principles and doctrines which had been held out that day. The hon. gentleman affected a great desire to see unanimity and cordiality prevail between the court of directors and the court of proprietors. The hon. gentleman must forgive him, if he did not give him credit for the sincerity of his assertion; and he (Mr. J.) complained of him and of others in being totally indifferent to the unanimity of the court, when he and they compelled the court at so late an hour of the day, to come to a decision upon a question involving so many important consequences to the company. One would have thought that convenience and propriety would have induced those gentlemen to acquiesce in a proposition which had for its object, that which the gentlemen affected to promote. But as the hon. gentlemen seemed not disposed to concur with him, he felt it to be his duty to enter his protest, and record his sentiments upon the measure now proposed, in order that it might not be afterwards said on any future occasion, that he tamely stood by, and saw the violation of that system, towards which he bore a parental feeling, and saw a precedent established pregnant with the worst consequences to the company. In this point of view, he owed it to himself, and to the court, to trouble the proprietors with some few observations. The hon. Chairman had said, that there was some existing act of parliament which dispensed with the contracts of the owners in time of war. He should be glad to know what act of parliament, and in what section it was, that this power of dispensation was given to the court of directors? For the hon. director neither gave the date of the act of parliament, nor the section in which that power was contained. Even the report and the resolution framed upon that report, which was the subject of the discussion, were utterly silent upon that principle, which was now recognized by the hon. chairman. Until he should be informed, that there was such an act

of parliament as that alluded to, which gave the directors the power of dispensing with a fair and open competition, he should presume the law of 1795 to be the law of the East India Company, and that public contracts entered into under that law, were imperative upon the directors, and all persons connected with them. The first proposition submitted to the court, amounted to no more than this: whether those who entered into contracts with the company should have all the profit of their contracts accompanied by an indemnification against all the losses? This was the whole scope and end of the proposition. But the question was, first whether the court would preserve that system which was alluded to in the resolution of the court in 1803, and afterwards in the act of parliament founded thereupon? Or whether the occasion which was now offered to the court had as much reference, in point of analogy, to the proceedings of 1803, as would incline an infraction of the system, by the measure now proposed? In order to support this latter branch of the question, the directors were obliged to contend that the system was not infringed upon in the year 1803. If this was so, why then should there be all that cautious arrangement? Why that anxiety expressed in the report of the year 1803, for the preservation of the system, and why was the like anxiety expressed in the act of parliament passed on that occasion? The reason was obvious. The legislature said, this shall not be drawn into a precedent. It was felt to be a violation of a previous act of parliament passed for the purpose of preserving the inviolability of the system. Every man of common sense, and common understanding, must have seen, that it was a violation of the system, and hence the caution observable in the conduct of the legislature. And the single question now was—whether the occasion had again occurred, which should again justify the violation of the system? His hon. friend (Mr. Hume) had been the object of much exception, because he thought fit to set out with a number of references, not inventions, but references to the company's own documents, and this was called declamation and invention, and the observations were accompanied by a thousand other terms some of which were neither just or maintainable by fair reasoning. But he appealed to every candid mind in court whether his honourable friend did not bottom every observation which he had made, upon the records and papers which were accessible to every proprietor. He did not merely give their substance, but he read them, he named them, he gave their dates and their titles; and not till then did he make his own observations. If his hon. friend was an insinuator, an inventor, and a declaimer, the legislature were insinuators, inventors, and declaimers; and many of the court's own resolutions were resolutions of declamation; for those were the resolutions upon which his honourable friend had founded his observations, and enjoined the court not to allow a departure from the system upon which the company had acted. These were the grounds upon which his hon. friend had called the proprietors to a sense of the value of the system, to a recollection of the consequences of its violation, and to the necessity of preserving it inviolable. These were the grounds of his injunction to preserve the system uninjured. With the like motives he had reminded them of the contents of a Report of the Committee of the House of Commons in the year 1773, shewing that five millions of money had been spent upon freight during the preceding ten years; and that one-third of that sum had been lost or thrown away. He had shewn that the House of Commons had given instances and reasons for this extraordinary expenditure under that head—that it had arisen at that time from private favour and affection, and from the cultivation of personal friendships and private influence. He had shewn that the company had employed eighty-three ships, when, in point of fact, only fifty-three were actually engaged in the company's service; the remaining thirty being useless, lying in docks and upon rivers. And why? Because it served the purpose of the persons in power at that time to throw these rich and battening contracts into the hands of particular contractors. If his honourable friend had not authority for his statements, probably he might justly have called forth the observations which his speech had excited, but he proved to demonstration that every one of his positions was founded upon the most irrefragable testimony. Without such evidence as this it might be said that he was guilty of the grossest insinuation, and that he meant scandalously to reflect upon the company when he represented to the court that the ship-owners of that day were under no restraint:—that many of them were the relations of directors, or actual directors themselves, or having shares in some of the vessels, and sat in judgment upon their contracts, and proposed their own prices for their own ships. But the fact was so: the case was then as his hon. friend had represented it. The act of parliament took special care that this should not be the case in future; thereby confirming the statement that the evil had been as was represented. His hon. friend had shewn that that corrupt practice had been put a stop to by a course of salutary propositions—that the statute book contained provisions after

provisions against the recurrence of the evil; and yet it was considered as little short of treason to the directors, to insinuate that such corruption had ever existed. By this course of reasoning and demonstration by evidence, his hon. friend had shewn that those corruptions had no longer existed, and had proved the necessity of maintaining that system which had been found so salutary to the company. In the year 1786 the prices demanded by large owners was so enormous that the subject was at last brought under the consideration of the company. They were then brought to a sense of their own situation. He did not mean to deny that the hon. chairman had not great merit on that occasion; but he (Mr. J.) begged leave to say, that whatever merit was due on that occasion, there were others equally entitled with the hon. chairman to a share of it. He himself, with great humility, begged to put in his claim, to some credit for the exertions he had made in furtherance of this great object; when the court of directors came to the court of proprietors for assistance, most readily did he volunteer his humble assistance in the arrangement of that great system: and though he did not affect to be the principal agent upon that occasion, yet so highly important were his humble services then considered, that he had had the honour of being publicly thanked by a resolution of the court. The hon. chairman seemed to claim the merit on the part of himself and the court of directors as having been the first patrons of the system: but it will be recollected that it was the proceedings in the court of proprietors that first brought the attention of the company to a sense of their own dignity and independence. It would be recollected that in the year 1786 some of the large owners demanded as high as 37*l.* per ton: but in consequence of the proceedings of the court of proprietors threatening the total destruction of their system, in a very short time they came down as low as 23*l.* From that time the company took courage, and from that time the opposition publicly began. It was then that a resolution was past adopting the doctrine of public contracts. The speech of his hon. friend deserved the highest praise. It was one of the most business-like and luminous speeches he ever heard in his life. He gave the court facts in every stage of it, and there was not one important point throughout the whole of it which did not stand upon the clearest evidence and most satisfactory proof. Above all other men, he (Mr. J.) deprecated the departure from that system which had been so happily established. He should be sorry to see that system gradually undermined which had cost him seven or eight years of the most valuable and active part of his life to bring to bear. As he had already said, the the general court did him the honour then of publicly thanking him for the part he had taken. His hon. friend had evinced considerable research in order to trace the evils which he had pointed out, and the remedies that had been applied. He had pointed out the impolicy of invoking a precedent in order to justify the resolution for breaking up the system of open competition. He had pointed out instances, where attempts had been made on the part of the directors to violate that principle: He particularly alluded to the years 1793 and 1794, in which last year an open attempt of that sort was made, and in point of fact, the directors did carry the freight considerably higher than it ought to have been: and this was done in such a manner, as induced Mr. Dundas to interfere on the part of his majesty's ministers, to protest against that deviation from the principle of public and open contracts. Mr.. Dundas claimed a right to interfere, and insisted as his reason for it, that they had not only departed from the system then established, in taking up ships in the season of 1794, but because they had even gone against their own better judgment. He (Mr. J.) attributed this departure from the system, to the too great discretion lodged in the directory; and one reason why he should wish for some measure for the security and inviolability of the system was, because it would deprive the directors of the power of acting this way and that way, and departing from the principle of fair and open competition, just as it happened to suit the occasion. It was under this feeling, that he now took the liberty of addressing the court. What was the history of the establishment of this question? Mr. Dundas had taken the company to parliament, and then that which was only a resolution of this court, became the law of the land in the following year, commanding an open and free competition amongst the ship owners; and that in all cases, the company should close with the lowest tender, without favour or partiality. Had this been found to be a good or a bad system? Let the company read their own accounts to answer that question. They would find that they had saved by it half a million of money. It had been shewn by his hon. friend, that this saving had been made within the last ten years. If such a man as his hon. friend had made such a speech thirty years ago, as he had made to-day, it would by this time have had the effect of paying off the whole debt of India. Had the same progressive saving gone on, the company would not have been in its present difficulties.

In 1793, he (Mr. J.) had had the honour of proposing that resolution which, upon an average of three years, had saved the company £700,000, per annum. He contended, that the proceedings of 1803 were no precedent, which could bind the proprietors on the present occasion. Suppose the present measure was *just*, —a much graver question would then arise—was it wise? What was proposed to be done? Why to apply to parliament for a bill; to do what? To leave it to the discretion of the directors—to give them a power of administering this relief according to their own discretion. He hoped the sense and understanding of the court of proprietors were not at so low a standard, as to accede to such a proposition. The idea of granting war allowances in times of peace was ridiculous, and yet that was the object of the present proposition. But this was insisted upon, on the authority of the supposed precedent of 1803. There was not the slightest analogy between the two cases. In the first place, the act of parliament passed in the expectation of war; for it was too much to say, that it passed under the idea of profound peace, when in the month of August 1803, an order was sent out for the taking possession of the island of Malta, which was in fact, a declaration of war. It was almost ridiculous to suppose, that the act of 1803, passed in the contemplation of peace, when it was well known that the cessation from hostilities which then took place, was no more than an expedient devised for preparing against a more rigorous war. What analogy then was there between that period and the present? Then there was the moral certainty of renewed hostilities—and now there was the prospect of a permanent peace! The very act of parliament passed then, was couched in such cautious terms, as clearly proved that the legislature meant, that it should not be drawn into a precedent, so as to insure a departure from the established system. In the second place, the cases were distinct, inasmuch as the description of owners who sought relief were different now from what it was in 1803. The act of parliament went upon the idea of a state of war, or preparation of war; but the report said, that great consideration was due to one of two classes of owners; namely, the old ones. Now he (Mr. J.) had no doubt that the old owners were in a different predicament from the new ones. The old ones were compelled to offer their ships at a low peace rate of freight; they had no alternative but to tender and be taken upon the established principle regulating the public contracts. Therefore, said the report, as they had lost by their contracts, they were deserving of great consideration; but not so of the new ones, who made speculative tenders, in order to oust all rivalry, and all rival competition, by the price which they then tendered, and thereby prevent the conscientious and fair ship-owner from being employed. Upon this principle the committee of that time thought the new owners did not deserve consideration; and yet it was rather whimsical that the present measure should be bottomed upon the precedent of 1803, when the owners of the present time were precisely of the description of those new ones, whom the committee thought then should be excluded from the benefit of the relief claimed. What did the committee say on that occasion in their report? Having all the contracts before them they said, "we deprecate any departure from the law as it respects these new owners, for the moment it is known, that you, the directors, are made of such *convertible* stuff you will always find that he will tender the lowest who has the greatest interest among you, and that he who has no interest will not dare to tender so low, because he knows he cannot fulfil his contract; but the man who has interest will tender so low as to oust all competitors, and having done so, he will avail himself of his interest to get his price raised, thereby to destroy the genuine principle of the system of open competition, and stultify the idea of solemn contract." This was the purport of the report of 1803, and yet this was called a precedent,—upon this the present measure was founded.

Now he decidedly objected to the discretion with which it was proposed to arm the directory, because it was an infraction of the very principle—the life spring of this admirable system. The act of parliament had already declared it not to be a wise discretion. He objected to compliments on this occasion. In matters of business, eulogies upon the honour and integrity of particular bodies of men, were very ill-timed; for they ought not to affect the determinations of reasonable creatures met together for the solemn consideration of a subject deeply affecting their permanent interests. The proprietors were now met for *business*, not for *complimentary speeches*; they came to hear reasons, facts, and evidence. They were not to be told they were guilty of intemperance, indecency, and misrepresentation, if in considering the subject, they resorted to irrefragable arguments and proofs quoted from the company's own records. His hon. friend had purposely abstained from every thing like intemperance and misrepresentation, for he was minute to a degree in his demonstration of every position he had laid down. His hon. friend had truly argued that the court had no security against the

extension of this odious system; for although the hon. chairman had said that this was a proposition binding only for one year, yet under the colour of limitation, they were clearly to understand that this principle was to go on progressively from year to year, until things should reach their peace standard. What was the utility of such public contracts, if they were liable to be broken upon every change in public affairs, and upon every vicissitude in the price of stores? And yet the hon. chairman was quite angry, because his hon. friend should give a construction to the case, different from the hon. chairman's views of the subject. Gentlemen ought not to give way to private feelings upon such matters, for it had quite a different tendency from that looked for. It neither refuted the arguments of adversaries, nor conciliated the favourable disposition of the court. All that his hon. friend had urged with any thing like warmth, was his objection to the principle of granting the directors too much discretion; and in this he was not only warranted, but deserved commendation, for he was bottomed in all his observations upon the declaration of the legislature in a solemn act of parliament, which represented the folly of giving too much discretion in money matters. Was it nothing to give the directors the power of dispensing 500,000*l.* at their own discretion? Was there nothing alarming in a proposition which was to give the directors the power of selling-out as they pleased half a million of money? and yet his hon. friend was to be reproached for misrepresentation and exaggeration, in a case where he gave day and date—vigorous argument and incontestable proof, drawn from the history of the company. Could there be any thing more unjust and inequitable than the proposition made? The history of the last ten or twelve years, had shewn that some of these ship-owners had made enormous fortunes, and yet when the time arrived that they were pinched a little by the pressure of circumstances over which the company had no controul, they were to be indemnified at all events, against consequences, which they themselves ought to have foreseen, and against which, as contractors, they should have guarded in their original tenders. The proposition was neither more nor less than this:—"here are contracts entered into for twenty years; for the last eighteen or nineteen years, the contractors have amassed immense wealth,—the twentieth year turns out to be unprofitable, and you the court, as a matter of equity and justice, must take care that these poor men shall not suffer by their own improvidence." No doubt there were some of the owners who had not derived much advantage; for instance, those who had entered into their contracts lately. But was it because the principle of allowing to some of the owners relief to a certain extent was admitted, that therefore the directors were to have every thing their own way in the administration of the relief sought for? But admitting, for the sake of argument, that it was prudent to allow them this discretion, was it just or was it honest to extend the relief in the way required to those who had been fifteen or sixteen years deriving all the benefit and advantage which times of prosperity gave them? But he agued *in limine*, that this was too high and mighty a discretion to allow the court of directors. His hon. friend (Mr. Kinnard) had recommended the court to make a separate agreement according to the respective situation of each owner. Suppose there was a given number of proprietors suggested to whom it was prudent to give relief, how could the allowances be proposed till the court calculated what to allow them? It occurred to him that a better course of proceeding than that recommended by his hon. friend would be to examine the respective case of each owner, and then to draw up a resolution "that it is the opinion of the court of directors that A. B. should have such and such allowances." If the proposition was thus brought before the court of proprietors then they would see the reason why A. should have a certain sum, B. another sum, C. another sum; and so on, through the whole number of cases. In his opinion, this course of proceeding would obviate the necessity,—first, of vesting the directors with an odious discretion; and secondly, of applying to parliament, which would be attended with the inconveniences he had pointed out. If the court of directors should declare their opinion in the shape of a resolution upon each particular case, then the court of proprietors would have an opportunity of deciding for themselves upon the merits of each case; and by that means they would adopt a circumscribed course which would still preserve the system inviolable; which it would not be, if a general unqualified discretion were given to the directors to do as they pleased upon the subject. By this means the system would be preserved, the evil he so much dreaded would be avoided, and then the court of proprietors could go head and hand with the directors in pormoting such restricted objects. The idea of going to parliament would be vain and useless, for it could not be expected that the legislature would concur in a measure which had for its object the revocation of that system which had cost so much pains to establish. It was a mere wild speculation to suppose that the House of

Commons would acquiesce in the sentiments of the directors. He was in hopes that some such suggestion as he had just now made, improved by some better understanding, would have been brought forward, so as to modify the proposition, and make it so palatable as to prevent the expedient of going to parliament. For it would be found that if this last proceeding was determined upon, the directors would not lightly get out of it. Such a measure would only have a tendency to provoke wild discussion without any useful or solid advantage. With these observations he concluded by earnestly suggesting some such middle course as he had hinted at, which would do ample justice, which he should always be desirous of doing without subjecting the company to the consequences which he had apprehended from a contrary course.

The *Chairman*, in explanation, requested the permission to touch upon one or two points which had arisen in the course of this discussion. In the first place, with respect to the subject of the supposed enormous profits made by the owners, he believed that the hon. and learned gentleman was quite misinformed. For his (the chairman's) own part, he must say, that although there might have been some individuals who had derived considerable advantage from their contracts; yet the condition of the owners in general was such that they were very far from having made inordinate profits. In a vast number of instances, the owners had sustained very considerable losses instead of profits. Another point was the supposed difference between the case of 1803 and the present one. It being asserted that the act of parliament, at that time passed, proceeded upon the ground of there being preparations for war. Now he (the chairman) stated before that that act passed in the perfect contemplation of peace; and he cited the authority of the report of the committee of shipping at that time; and the report of the proceedings of the court of directors of the 5th of July 1803, in relation to the then depending act of parliament, from which it clearly appeared that the act passed in the contemptation of peace. It was a notorious fact that many ships had gone out during the last short interval of peace not under any contemplation of war, but in the expectation of a permanent peace. Many of them were subjected to the expences of that time; and all that the proposition now meant to do was to relieve those ship-owners as a matter of equity. With respect to the *third* and *last* point upon which he should now trouble the court; namely, the objection which had been made to that supposed vast discretion which the directors were to have, all he had to say was (and he hoped the court would attend to it) that through the whole of this system, until a very short time since, the court of directors had by law, a much greater discretion than what they asked now. Through the whole period of the war they had the entire discretion of settling the war extraordinaries. The war extraordinaries were in some cases more than half the freight. If the freight was 40*l.* the war extraordinaries were 22*l.* or thereabouts. They had the discretion of allowing 20*l.* on each ship, and this for the whole period of the war: and all the discretion that could possibly be given by the present measure was a discretion respecting a few pounds, not more than four, or five, or six pounds in each ship. So that it would be seen that there was an enormous difference in point of the discretion, which the directors had throughout the whole of the war, and that which was now required. But this was not all. Gentlemen spoke as if the court of directors was not accountable to their constituents. Every body knew that all proceedings respecting the shipping system, were, by the bye-laws, in a particular manner laid open to the inspection and consideration of the proprietors. Every thing upon this subject was laid fully open to the consideration and examination of those very honourable gentlemen, who seemed to take so much exception to the powers now claimed by the directors.

Under these circumstances, the discretion thus claimed, ought not to excite any alarm or apprehension in the proprietors.

Having made these few observations, and without going further into the debate which had already occupied so much time, he should conclude by begging leave to put the question.

Mr. *Hume* having made a few observations in explanation,

The *Chairman* put the question, when a division took place, on which the amendment was negatived by a majority of 55 to 8.

The original question was then put and carried by a similar majority.

A draft of the bill proposed to be presented to parliament, was then submitted to the consideration of the court; agreed to and ordered to be printed.

Adjourned.

ERRATUM IN OUR LAST REPORT.

In the debate of 20 March, 1816, page 399, 1st column, line 27, of Mr. Jackson's speech, instead of "there was good reason for thinking he joined in the adjudication," *read*, "there was good reason for thinking he did *not* join in the adjudication."

ASIATIC INTELLIGENCE.

MADRAS.

October 5, 1815.—*General Orders.*—Mr. assistant-surgeon William M'Kenzie to be surgeon, vice A. M'Kenzie retired, date of commission 19th March, 1815.—Mr. assistant-surgeon John Knoing to the garrison of Negapatam, vice Wyllie, promoted.—Capt. and Brevet-Major J. Noble, commanding the Horse-Artillery, is permitted to proceed to Ceylon on leave of absence for four months.—Mr. Cadet F. A. Prescott is promoted to the rank of Ensign, provisionally, until the pleasure of the Hon. the Court of Directors shall be known.—Mr. garrison-surgeon Fallowfield will receive charge of the medical stores of the Mysore division, on the removal of the Depot from Seringapatam to Bangalore.

Sept. 19, 1815.—The Right Hon. the Governor in Council, is pleased to appoint Lieut. H. Moherly, of the 10th N. I. to act as assistant to the secretary of the Military Board.—3d N. I. Ensign E. J. Johnson to be Lieut. vice Crowther to be transferred to the Invalid establishment, date of rank 12th Sept. 1815.—9th N. I. Ensign C. M. D. Robertson to be Lieut. vice Pridham deceased, 22d July, 1815.—Ensign John Laurie to be Lieut. vice Bertier, deceased, 24th July, 1815.—Ensign E. E. Smart to be Lieut. vice Mr. Greisom deceased, 31st August 1815.—11th N. I. Capt.-Lieut. Thomas Bulman to be Captain of a company ; Lieut. H. M. Cooper to be Capt.-Lieut. ; and Ensign George Hutton to be Lieut. ; in succession to Simons deceased, date of rank, 17th Sept. 1815.—12th N. I. Ensign James Scott to be Lieut. vice Reid, deceased, date of rank 16th Sept. 1815.—24th N. I. Ensign H. L. Harris to be Lieut. from the 5th Nov. 1814, vice Marshall, retired.—Ensign F.H. Morgan to be Lieut. vice M'Intosh, deceased ; 9th July 1815.—Mr. George Buck having produced an affidavit of his appointment as an assistant-surgeon on this establishment, is admitted to the service accordingly ; arrived at Madras the 4th instant.

Sept. 23, 1815.—Mr. surgeon M. Cordinel, is directed to afford medical aid to the detachment of his Majesty's 72d foot, proceeding to Bengal in the ship Hibernia.

Sept. 29, 1815.—The following removals and appointments in the medical establishment are ordered consequent to the G. O. by government of the 16th ult. :—Surgeon B. Beyne, from the 2nd N. C. to the 21st N. I. and 2d batt.—Surgeon W. Scott, from 21st N. I. to the 2d N. C.—Surgeon Alexander, from the 3d N. C, to the 12th N. I. 2d batt.—Surgeon W. M'Kenzie, late promotion to the 3d N. C.—Surgeon D. Ainslie, M. D. from the 4th N. C. to the 8th N. I. and 1st batt.—Surgeon B. P Long, ditto, (late promotion) to the 4th N. C.—Surgeon M. Condirler, from the 5th N. C. to the 2d N. I. and 1st batt.—Surgeon M. J. Moore, M. B. (late promotion) to the 5th N. C.—Surgeon J. Dean, (late promotion) to the 7th N. C.—Surgeon W. M'Intosh, from the 3d to the 4th N. I. and 1st batt.—Surgeon K. Mackauly, (late promotion) to the 3d N. I. and 2d batt.—Surgeon J. Jeffries, (unattached) to the 5th N. I. and 2d batt.—Surgeon W. Currie, (unattached) to the 6th N. I. and 4st battalion.—W. S. Mitchell, (late promotion) to the 7th N. I. 2d battalion.—Surgeon Thomas Wylie, (late promotion), to the 9th N. I. and 1st batt.—Surgeon C. M'Cabe, from the 11th to the 22d N. I. and 2d batt.—Surgeon S. Reviere, from the 25th to the 11th N. I. and 1st batt.—Surgeon W. Ingledew, (unattached) to the 14th N. I. and 2d batt.—Surgeon J. Gordon, (late promotion) in room of J. Underwood, to the 16th N. I. and 1st batt.—Surgeon G. Anderson, (late promotion) to the 24th N. I. and 2d batt.—Surgeon J. B. Pender, (late promotion) to the 25th N. I. and 1st batt.—Assistant-surgeon A. Campbell, from the Rifle Corps to the Horse-Artillery, and to join the detachment with the Hyderabad Subsidiary Force.—Assistant-surgeon R. Kellett, doing duty with H. M. Royal Scots, to the 3d N. C.—Assistant-surgeon W. S. Anderson, from the 25th to the 8th N. I. and 1st battalion.—Assistant-surgeon G. Jones, from the Madras European regiment to the 25th N. I. 2d batt.—Assistant surgeon J. Sevestree, from the 8th N. I. to the Madras European regiment.—Assistant Surgeon D. Donaldson, from the 7th to the 4th N. I. and 2d batt.—Assistant Surgeon J. J. Duncan from the 9th to the 11th regiment, N. I. and 2d batt.—Assistant Surgeon, J. Kellie, from the 7th N. I. to the Details of artillery with the Hydrabad subsidiary force lately under the charge of Mr. Moore.—Assistant Surgeon, C. Desomeaux doing duty with the 2d batt. 7th N. I. and 2d batt. 7th N. I. ; and 2d batt. Assistant Surgeon J. Willie, Junior attached to the Hydrabad subsidiary force, to the Rifle Corps, and to join the detachment with the Hydrabad subsidiary force.

Mr. Surgeon M'Kenzie's services being required at the Assaye office he is, under instructions from government, permitted to remain at the Presidency retaining his present medical charges.

Oct. 24th, 1814.—The changes of the Monsoon has taken place with great mildness. A considerable fall of rain has already relieved the dearth which has been so generally experienced for some time past, and the indications are favourable for a further supply. The wind has blown from the northward principally during the week, but hitherto with very little violence.

The brig Lark, Capt. Black, sailed early on Saturday morning from the Roads for the Mauritius. The packets for that island, and also for England, which were originally intended to have been dispatched by the brig Cheerful were forwarded by the Lark; she touches at Pondicherry, but will not remain there more than two days.

The private trader City of London, Capt. Jenkins, sailed in prosecution of her voyage to Calcutta, on Saturday last. Not a single vessel of any description has since remained in the Roads.

Nearly four hundred letters from England have been received at the Post-Office, in the course of the last three days; they are principally of old date, and were conveyed to Ceylon by the Chapman transport.

We have not been able to learn any further particulars of the loss of the ship by fire, off Covinga, than what we have presented in our last. We have seen the Captain of the schooner Brothers, whom we stated to have seen the conflagration, but we could get no facts. It seems he remained very near the burning vessel, till she was consumed to a shell.

We have received our usual supply of Calcutta papers and letters in the course of the week, but their contents possess no general interest. The Susan had arrived at Saugar, and conveyed the first intelligence of the death of the late Admiral. She also conveyed to Bengal, the first news of the expulsion of Murat from the throne of Naples.

The private ships Melanctho and Liverpool are expected to be dispatched from Calcutta for England, about the middle of the current month.

The hon. Company's ship Carnatic, Captain Blanshard, had arrived safe in the Bengal river. The private ship Bengal from Liverpool, whence she sailed 22d May, had also arrived at Calcutta. She touched at Madeira, but fell in with no ship on the voyage, which gave any news.

A ship of 530 tons, was launched on the 3d inst. at Howrah. She is to be immediately freighted for England.

The Right Hon. the Governor General was expected to reach Calcutta about the 10th instant. His Lordship had been delayed some days by a severe storm, which detained the fleet at Patna.

The inhabitants of Calcutta were thrown into great alarm the latter part of the last month, by rumours which had been industriously circulated, that the plague had been conveyed to this country, by an Arab ship. It proved, we need hardly say, entirely void of foundation.

The Hon. Company's ships Marquis of Wellington, and Princess Charlotte of Wales, will convey His Majesty's 59th regiment to this presidency early in December.

Tuesday Oct. 17, 1815.—The schooner Brothers, arrived in the Roads on Sunday last, from Dorniga, which she left on the 9th inst. Captain Chick reports, that at two A. M. on the 10th, being off Point Gaudwar, 40 or 50 leagues distant from the land, he saw a large ship on fire; the flames raging from her decks to her royal mast; he immediately tacked and sailed round, he lowered a boat, and sent it to her assistance, or rather to assist her people, if any could be found; but not one person was met with, and the Captain supposes they had previously taken to their boats and got on shore. Captain Chick continued near the burning vessel till six in the morning, by which time she had been consumed to the water's edge; her masts had fallen overboard; a donay was seen making towards the wreck. The schooner's boat fell in with a raft at some distance from the ship, on which they found some pieces of cloth, and seamen's jackets, both much scorched, also a few blocks, and three spars painted green; several bales of cotton were seen floating in the sea, and a great quantity of loose coffee. The weather was very fine, and nearly calm; the ship had a billet head. We are sorry to add, that this unfortunate ship is supposed to have been the Mornington, Captain Dunlop, which sailed from Saugor, bound for London, on the 20th ultimo. We are happy to state, that there is no reason to be under the least apprehensions for the safety of the passengers and crew. The above are the only particulars we have been able to learn.

His Majesty's ship Wellesley, Capt. R. O'Brien, sailed from the roads on Sunday evening. She is destined we believe, in the first instance for Ceylon, and subsequently to Bombay. Commissioner Puget has proceeded on board her for the latter place.

On Sunday the Flag-Staff of Fort St. George, was struck, according to annual custom, on the approach of the period, when the monsoon usually changes. Hitherto the weather has been extremely mild and moderate, but for several days past, the atmosphere has been lowering and overcast, and appearance to the northward has at times been threatening.

Very few vessels of any description are now in the Roads.

His Lordship the Chief Justice, took his departure from the Presidency on Thursday evening, and intends proceeding direct to Hydrabad.

The packet of letters, which was to have been forwarded to the Isle of France, by the brig Cheerful, has been returned to the Post-Office, in consequence of that vessel having sprung a leak in the Roads; which accident renders it necessary for her to proceed to Corniga, to get some repairs.

Late yesterday evening, the long expected ship, City of London, Captain Jenkins, anchored in the Roads. She sailed from the Mauritius on the 21st ult. The following is a list of passengers:—Mrs. Agnes Stewart, Mrs. Cother, Mrs. M. Traile, Mrs. Frances Skinner, Mrs. E. Henley, Miss Mary Trail, Miss Constance Saullson, Lieut. Colonel Stewart, Charles Wynot, Esq. Senior, Merchant, Thomas Cother, Esq. Assistant Surgeon, Captain Nixon, Capt. George Jackson, Captain Henly, Rev. James Traile, Lieut. Robert Young, Ensign A. Young, John Wilson, Esq. Assistant Surgeon, J. Y. Skinner, Esq. Free Merchant, Mr. Frederick Webland, Cadet, Lieut. W. H. Slade, Mr. Charles Collyer Brooks, Free Mariner, Mr. A. Flood, Mr. J. Blake, Mr. Asmond Baylis, Mr. David Wemyss, and Mr. J. S. Andrews, Free Mariners, and five native servants.

Landed at the Isle of France.—Mrs. E. Barry, Mrs. Dick, Mrs. J. Stone, Mrs. Emeltade Counson Villechelio, Miss H. Millius, Miss J. Stone, Major Alex. Barry, Chief Secretary to government, Capt. George Dick, Auditor General, Mr. F. de Courson Villechelio, Mr. P. A. Morris, Mr. F. Campenon, Masters A. Barry, W. G. Dick, and eight native servants.

The only shipping arrival which has taken place at this port, since our last, is the Danish ship Mary, Captain Eben. This vessel sailed from Copenhagen, so long back as the 5th of January; she touched at the Cape, but brings no news; after landing her passengers, she immediately continued her voyage to Bengal.

It is mentioned in the Calcutta Journals, that the insignia of the Knights Commanders of the Bath, resident in India, has been brought to this country by Captain Vaughan, who is a passenger on the Carnatic.

His Majesty's 87th regiment, were to embark from Calcutta for Berhampore, on the 1st instant.

The 53d ditto do not come to this Presidency as had been previously intended; they are to proceed immediately to Java, and the 59th are destined for Madras.

The Right Hon. the Governor General reached Patna on the 19th ult. His Lordship intended to remain there several days.

We understand His Lordship the Bishop of Calcutta, accompanied by the very Rev. the Archdeacon, intends to visit Madras and Bombay immediately after the monsoon.

It is with regret we state, that accounts from the Calcutta, announce the melancholy loss of the ship United Kingdom, belonging to Messrs. Hogue, Davidson and Company of that city. It appears that the above vessel sailed from Batavia, in company with the Somersetshire, in the month of March, both bound for England. On the 24th of May, the former foundered off the Cape of Good Hope in a hard gale of wind. Captain Laird, and the officers and crew were saved, and conveyed to St. Helena by the Somersetshire, which happily had not parted company from her consort when this unforunate event took place. The United Kingdom had a most valuable cargo, consisting of Pepper and Coffee on board, she was insured in the several Calcutta offices for 7,30,000 sicca rupees. Captain Laird we understand, on the 28th ult. having proceeded from St. Helena, in the Hon. Company's ship, General Kyd, to Penang, and from thence to Bengal, in the Mary, we shall probably receive a further account of the loss of the above vessel in a few days.

The greater part of the ships which sailed from England, on the 26th of May, have arrived at Calcutta.

Private letters from Port Louis mention, that a Corvette arrived late in August, at Bourbon, which had been dispatched by the Emperor Napoleon, with instructions for Governor Bouvel, as to the line of policy he was to adopt. The vessel, papers and crew, were all handed over to His Majesty's sloop of war Ariel.

CALCUTTA.

October 5, 1815.—By the way of Java and Penang, we have received advices from Amboyna to the 21st of May, which mention the occurrence of frequent severe shocks of earthquakes throughout the Moluccas, during the first fortnight of April. But little injury was done to the town of Amboyna, near which the sea rose more than six feet more than its usual level. At the presidency of Banca, a spice island about twenty miles distant from Amboyna, the whole of the public buildings were destroyed. It is strange that at Banda, the scite of a great volcano, these convulsions were scarcely perceptible, although the rise and fall of the sea was very marked. No reference on the subject had been received from Tornate, on which is a burning mountain three times larger than that at Banca.

The island of Banda had been exceeding unhealthy during the whole of the dry season. Among the victims to the

insalubrity of the climate, we grieve to record the name of Captain Forbes, of the Madras establishment, Resident and Commandant of the station, who died on the 18th April, after an illness of four days. The regret of all classes at the death of this valuable officer, and excellent man, cannot be better expressed than in the order issued by Mr. Martin, a few days after his death.

Mr. Sergeant had been instructed provisionally to assume the situation of Resident, in the room of Captain Forbes, and was to proceed on the 22d May, with a reinforcement of troops to supply the vacancies in the garrison of Banda.

Some alarm has been recently excited at the Presidency, on account of the possible introduction of the plague by means of the Arab vessels frequenting the river. It has been known for a considerable time, that a dreadful malady was raging in India; many hundreds of whose inhabitants it has swept away. Long after its appearance at that place, a ship cleared from the port, bound for India, and during her passage down the Arabian gulph, attempted to touch at Mocha, but was denied admittance, and a manifest of health. She subsequently was prevented from having any communication with the British settlements on the coast, and is now daily expected in the river. These circumstances have given rise to some degree of apprehension; a committee of safety has, we understand, with much propriety, been appointed, and a port-surgeon nominated to the express duty of examining all suspected vessels, and subjecting those against which reasonable cause of suspicion may exist, to the rigorous laws of quarantine. Such municipal regulations being calculated to prevent the spread of the noxious effluvia, and to banish unnecessary alarms, are exceedingly praiseworthy. We trust, however, that in the present instance, even without the use of any such precautionary measures, the danger of ravage from the true plague, in a city situated in such a low latitude as Calcutta, is not great; since, if we are not misinformed, experience has shewn that this scourge to the human race, cannot live long within the tropics. We are inclined to think that the disease prevalent at Judda, will be found not to have been the pestilence, but one of those malignant fevers frequently generated and propagated by the filth of Musulman cities, and readily stopped by free ventilation, and other like means of purification.

A few days ago his Majesty's 8th regt. proceeded by water to Berhampore. Preparations are now making for the return of his Majesty's 72d regt. to the Cape of Good Hope.

A general order has been issued for the reduction of companies of the line to eighty men.

AMBOYNA.

March 2, 1815.—Lieut. W. Mackenzie, 2d regiment Bengal Native Infantry, has been appointed Resident at Manado, whither he is to proceed with an escort of two subaltern officers and a small detachment. One of the officers is appointed to do the duty of magistrate and store-keeper. Lieutenant Mackenzie had been succeeded in his situation of Secretary to the government of Amboyna by Dr. Babington. Robert Stuart, Esq. of the Bengal Civil Service, has been nominated Resident of Ternate; and Mr. Sargent, President of the College of Justice in that island. No preparation has been made for the cession of the Moluccas to the Dutch. The market for Indian articles is in general heavy. The arrival of the Scaleby Castle by an influx of goods, has rendered sales dull; and with few exceptions, Bengal goods are selling below prime cost. The Dispatch, Captain Fern, and two other vessels have arrived from Penang and Batavia with cargoes of Rice, which have sold well. The Wellington schooner has arrived from Timor. The Minerva, Captain Russell, was to proceed to Java by the way of Ternate.

HOME INTELLIGENCE.

London, April 7.—This day the following bulletin was exhibited at St. James's palace:—

"Windsor Castle, April 6.—His Majesty has enjoyed good bodily health, and has been very tranquil, during the last month; but His Majesty's disorder has undergone no change."

Yesterday, about three o'clock, the Prince Regent left town for Hampton-court, where his royal highness dined. The Prince of Saxe Cobourg was expected to meet his royal highness there to dinner from Brighton.

By the recent statement of the British naval force up to the 1st instant, it appears that the number of vessels in commission are 267, ordinary and repairing for service 432, building 35.—Total 734.

The North Star sloop of war, Capt. Cae, arrived at Portsmouth on Sunday from Jamaica, having on board a large quantity of specie; she sailed 12th February. Accounts had been received at Jamaica, of the arrival of the Dutch force at Curaçoa on the 27th January, to take possession of that island in the name of the Dutch government. The governor, Admiral Kirkert, in the Prince William Dutch ship of the line, entered the harbour in the evening of the 27th, but in consequence of some orders relative to the surrender of the place not having arrived, the island was still to remain in the hands of the British.

"There was a remarkable difference in the number of deaths among the allied troops in Paris in 1813.—The Russian army lost twenty-three men; the Austrian army fifteen; the Prussian army one hundred and fifty-four; and the English army one thousand and twenty-seven.

April 12.—The first spring meeting of the Golf Club was on Saturday last, at Blackheath; the day proved highly favourable. After three hours play, the club, together with a few friends, sat down to an excellent dinner at the Green Man. The afternoon was spent in conviviality and good humour, virtues for which this club has long been eminently distinguished. The exercise of the Golf is, perhaps, of all others the most conducive to health and longevity; in playing, the muscles are put into moderate action, the chest is thrown open, a sufficient degree of interest is excited to keep the mind actively alive and cheerful, and all this is from necessity performed in the open air. The game itself is elegant and interesting; a fine player will, under favourable circumstances, drive the ball by one stroke of the club from two to three hundred yards, with a velocity equal to that of an arrow, and with perfect correctness towards the goal, avoiding such hazards as a Scylla on the one hand, and a Charybdis on the other.

The allied troops, composing the right wing of the army of occupation, took up in January last, their positions in the garrisons and cantonments which have been assigned them by the Duke of Wellington. The Saxon and Danish troops form a line which extends to the French fortresses in Artois. The Hanoverians have concentrated themselves about Conde and that part of the Scheld. The Russians have extended themseves further into the French territory. Their left wing leans upon Charlemont, the most advanced troops of the centre extend to the frontiers of the district of Laon, and their right wing leans upon Maubeuge. Behind all these positions are the English *en échellon*, and entered their positions from Valenciennes to the Somme. All the fortresses in this line have very numerous garrisons. These troops, composing the right wing of the grand army, consist of sixty-five thousand men, *viz.* thirty-thousand English, twenty thousand Russians, and Danes, Saxons, and Hanoverians, five thousand each. The positions are so chosen, that the allies can at all times cut off the fortresses which still have French garrisons, from all communication with the interior.

At the last court of Common Council, Mr. Waithman in the close of his speech, addressed the court in the following manner:—"My Lord Mayor, after this, I shall not frequently have occasion to trouble your lordship, or this court; I mention it, at least, after more than twenty years of unabating exertion for the promotion of the liberties and happiness of mankind; some may attribute my relaxation from public business, to a desertion of my principles—but the state of my health at this time, requires some attention, and prescribes to me the necessity of abstaining, at least for the present, from public exertion. I am, however, persuaded that this corporation, and the people at large, should make the most unremitting call upon the legislature, for a severe and rigid system of reform and economy, in every department of the state, otherwise it will never be obtained; and there can be no chance for the country being retrieved from its present distressed and embarrassed state—this, however, I must leave to others, who may exhibit more ability, and whose exertions may be attended with more success—but who can never shew more zeal, perseverance, and disinterestedness."

The Parisians have not yet done wondering at the steam-boat, in praise of which their journalists are absolutely wanton: but what is better, there is great reason to hope that their admiration will not evaporate in a few warm panegyrics, for there is a partnership of highly respectable persons already formed for the purpose of establishing a communication between London and Paris, by means of steam-boats. Though the main attempt may fail, some collateral advantages to trade and navigation may be reasonably hoped to accrue.

They are now placing before the royal arsenal at Berlin a cannon and two mortars of enormous size. The Prussian troops found the first at Paris, with another of the same size, which the Austrians sent to Vienna. They took the two latter pieces at La Fere. Napoleon, it is said, had kept these four pieces on account of their prodigious size and de-

structive effects, to employ them one day, with other heavy artillery, in the siege of Gibraltar.

The total number of persons that have belonged to the forty-second regiment from 1797 to the present time, is thirteen thousand one hundred and twenty-seven. There are only three men in the corps that fought against Buonaparte's Invincibles in Egypt.

Mons, April 5.—A tragical scene has just thrown our town into terror and consternation. The day before yesterday, about eight o'clock in the evening, Mrs. Papillon, the mother of a family enjoying a decent competence, committed an act of despair or madness, to which the annals of the human mind scarcely furnish a parallel. Being followed by her three children, a boy of two years of age, and two girls, one eight and the other five years old, she dragged them to the well; then seizing the two youngest, she threw them in; the eldest girl struggled a long time in her mother's arms, uttering agonizing but fruitless cries: the barbarous mother, violently seizing her, threw her into the well; into which she at last threw herself also. These four unhappy victims have been taken out dead, and all the assistance of art was lavished on them in vain. Yesterday evening, at nine o'clock, they were buried. It seems that this woman, whose mind was doubtless deranged, had meditated this great crime during the whole of the third. On that day she performed her devotional exercises, and distributed abundant alms. Madame Popillon had formed the project to destroy all her family; besides the three children who were the victims of it, she had two others; her eldest son was at a boarding-school at St. Ghislam, and the youngest at nurse in the country. This mother, whom one does not know by what name to call, had sent an order to the nurse to bring her the infant on the day destined for the accomplishment of the tragedy, which the woman refused to do. At the same time she charged the St. Ghislain carrier to carry to her son a flan, (a kind of cake), which was poisoned, with a letter, desiring him to eat it alone, without giving any part to his schoolfellows. On the road this flan was spoiled, and the carrier, fearing he should damage the other goods which he had with him, threw it away. If we add, that this wretched woman was five months advanced in her pregnancy, we shall have an idea of the destruction which she had calmly meditated. While the dreadful scene was passing, her husband was at the coffee-house: she had had the cruel precaution to leave a note on the table, pointing out the well as the grave of herself and children.

The Hamburgh Correspondenten contains the following tragical story, which it alleges to have lately taken place in a country town of Hanover:—A mother of three little children threatened one of them, in the presence of the other, in a joking manner, to cut off its nose, for some naughty trick of which it had got a habit. Soon after she was busy down stairs in bathing the youngest child, who was ill, but hastens up stairs on hearing a dreadful cry in the upper part of the house, and meets on the stairs the eldest child, who tells her he has executed the threatened punishment upon the other child, who had again been guilty of the same trick. In her anger she pushes the child so, that he falls down the stairs—finds the maimed child swimming in its blood, in the agonies of death—rushes down stairs again—finds the other child lifeless at the foot of the stairs—totters into the bathing room, finds the youngest child suffocated in the bath, and hangs herself shortly after in the extremity of despair.

The Hamburgh Correspondenten of the 9th of April, contains another of those tragical stories of which we have lately had several from the Continent. It states, under the head of Dresden, April 1, that a carpenter of the name of Reichel, after inflicting such severe wounds on his father and mother-in-law that their lives were despaired of, had murdered his wife, and destroyed himself. Previously to this, he had on the same day, though happily without success, endeavoured to set fire to several houses. The Editor observes, that had he not received the account from a credible source he should have deemed the story, a first of April *houx*.

Paris, April 24.—The trial of Messrs. Wilson, Bruce, Hutchinson, commenced on the 22d instant, and concluded this day.—M. Dupin, the advocate of Sir Robert Wilson and his friends, made a speech of considerable ingenuity, but turning principally on points of French law. On the facts charged against the accused, after their avowals, corroborated by the fullest proof documentary and parole, no possible doubt could remain: and about half-past five this afternoon, the jury (twelve in number, drawn by lot) delivered their verdict into court. It was read by their foreman, and contained an acquittal of all the Frenchmen, except the turnkey, Eberle, who, as well as Sir Robert Wilson, Messrs. Bruce, and Hutchinson, were found guilty. The president, M. De Seze, then proceeded to read the heads of the penal code applicable to the convicted persons. The article applicable to our countrymen was No. 224, which prescribes imprisonment for a term not exceeding two years, nor

less than three months, at the discretion of the judge: and the president, without hesitation, pronounced for the shortest allowable period. Sir Robert and Mr. Bruce had both previously addressed the court, explanatory of the motives for a conduct which they did not deny.

Sir Robert observed, that those who blamed what he had done would probably have censured him for inhumanity, had he refused to assist in snatching a fellow-creature from destruction.

Mr. Bruce proclaimed himself a friend to liberty, and to the constitution of his country, as settled by the glorious revolution of 1688; but he declared his detestation of that fictitious revolutionary liberty which desolated Europe. Both these speeches were listened to with great attention by the court. On a dispute which arose as to the official translation of one of Sir Robert's letters, the advocate-general allowed the prisoners the benefit of interpretation, which was most favourable to them. The court was fuller on the third day than on the second, but less so than at the opening of the trial. Madame Lavalette was among the auditors.

Sir Robert Wilson's Account of The Escape of Lavalette.—Letter from Sir R. Wilson to Earl Grey, intercepted by the French government.—"It was determined (says Sir R. Wilson) that the fugitive should wear the English uniform; that I should conduct him without the barriers in an English cabriolet, wearing the uniform myself, that I should have a relay horse at La Chapelle, and proceed from thence to Compiegne, where Elister should repair with my carriage, in which I should afterwards travel with Lavalette to Mons, by way of Cambray. I had no difficulty in procuring from Sir C. Stuart, at my request, and on my responsibility, passports for Gen. Wallis and Col. Lesnock, names which we chose because they were not preceded by Christian names. The passports were duly countersigned by the minister for foreign affairs; but when they were presented for signature, one of the secretaries asked who Colonel Lesnock was? He immediately replied, it is the father of the admiral. This object being accomplished, Elister took the passports for Col. Lesnock, procured post-horses for his carriage; and finally, to avoid all suspicion, took an apartment and a coach-house at the hotel de Helder, in the name of Col. Lesnock. Bruce fortunately learned, that the bridge, commanded by his cousin, Gen. Brisbane, was at Compiegne, and that his aide-de-camp would quit Paris next day, the 7th of the month, for Compeigne, with the horses and baggage belonging to the general, who was then in England. We saw the aide-de-camp at Bruce's, where we met by appointment. We told him that very particular circumstances obliged us to pass through Compiegne with a person who must remain unknown, we wished to stop an hour or two in a remote and retired quarter. He frankly replied that he would trust entirely to us on the subject; that his existence depended on preserving his situation, but that he would not hesitate to accede to a proposition, particularly since he saw we were interested in the affair. I vow that I felt repugnance at implicating such a person in the affair; but the cause was too important to stop at that consideration, and I encouraged the hope that a day would one time arrive in which it might be possible for me to acknowledge this service. Bruce procured Lavalette's measure, and Hutchinson gave it to a tailor, saying it was the measure of a quarter-master of his regiment, who wanted a great coat, waistcoat, and pantaloons, but did not need a suit. The tailor observed that it was the measure of a tall man, and that it had not been taken by a tailor. His remark alarmed me so much, that I thought adviseable to send to Hutchinson, to say to him, that, as the quarter-master could not wait till Saturday, it was necessary that the clothes should be carefully packed up, and that they would be forwarded to him after his departure. Hutchinson and Elister took besides all necessary precautions with respect to horses, and reconnoitred the barriers in a promenade on the preceding day. Every precaution for avoiding accidents being adopted, it was finally agreed that Lavalette should be removed to Hutchinson's lodgings on Sunday, Jan. 7, at half past nine in the evening precisely; and that next day, at half past seven in the morning, equally precise, I should be at his door with Bruce's cabriolet, my servant, the servant on my mare, well equipped, as if I were going to make an inspection. That Hutchinson should ride along by the side of the cabriolet, keeping up conversation with us, and that in case any embarrassment occurred, Lavalette should mount my horse and I the mare, in order that we might act more freely and gain in expedition. I should certainly have preferred passing the barriers on horseback, but it was thought that the manner of riding on horseback might attract attention, and that passing the barriers in full day, and in an open carriage, would shew too much confidence to give cause for suspicion. The hour being at last arrived, Elister, Bruce, and myself, repaired to Hutchinson's apartments, under the pretext of a party for punch; at the moment when Lavalette was to present himself, Bruce advanced to the top of the stairs, Lavalette took him by the hand, and we saw before us this interesting personage. He was dressed in a blue uniform and sufficiently disguised to pass without

remark in the apartment of an Englishman. The friend who conducted him did not enter the room, but he delivered to Hutchinson a pair of double-barrelled pistols for Lavalette. He appeared at first muuh moved. We did not permit him to give vent to all his sentiments of gratitude; but a few moments after, Elister and I withdrew, and left him to the care of Hutchinson and Bruce.

"Next day at half past seven, I was at Hutchinson's door.

"In five minutes I had seated Lavalette, and we were on our way to the barrier of Clichy. We met an English officer, who appeared surprised at seeing a general officer whom he did not know. But my servant avoided all questions; I passed the barrier at a moderate pace; and the gendarmes looked earnestly at us, but the presenting of arms gave Lavalette an opportunity of covering his face in returning the salute.—When we got through the barrier, Lavalette pressed his leg against mine, and when we were out of the reach of observation, his whole countenance appeared enlivened by this first favour of fortune. The road was full of all sorts of people; but whenever we heard the diligence, I began to converse with a loud voice in English, and I remarked that my hat, which was mounted with a white plume, and which Lavalette held in his hand, attracted the notice of the passengers, and withdrew their attention from us. Lavalette has such marked features, and his person is so well known to all the post-masters, that the greatest care was necessary. At La Chapelle, where we changed horses, we experienced a moment's alarm at the sight of four gendarms who hovered about us. But Hutchinson, being questioned by them, relieved us from their importunities by replying, that we were going to choose cantontonments for a division of the English army. We were obliged to pass close to other gendarmes, who had with them bills containing the description of Lavalette; and here I ought to remark, that these bills have been distributed to almost every individual in France. On approaching Compiegne I observed some grey hairs projecting from under the brown wig worn by Lavalette. Fortunately I had scissars with me, and I performed the part of his friseur on the road. On entering Compiegne, we found the serjeant mentioned by Capt. Fravell, who conducted us through the town to a quarter extremely well chosen, for we were not incommoded by spectators in the streets. None saw us enter except the soldiers and the English servants who attended us. While we waited for Elister with the carriage, Mr. F. presented us with refreshments. Finally, towards night, as had been agreed upon, Elister arrived with the carriage, which had left Paris by the barrier of St. Denis, and was followed to La Chapelle by two gendarmes. I caused the lamps to be lighted, as well to shew us our road as to make it appear that we were under no apprehensions; and having taken leave of our friends, we set out, well armed and prepared to make resistance, if we experienced any obstacle. We were much questioned at the stations for the relays, but we experienced no delay till we reached Cambray, where we lost three hours at the gates, owing to the fault of the English guard who, having no orders for calling the gate-keeper, was not to be induced to do so notwithstanding all we could say to him—a negligence which has already been attended with inconvenience to the government, and which might have been fatal to us. In passing through Valenciennes we were strictly examined three times over, and our passports sent to the commandant. We underwent another examination at some distance from that garrison, and this was the last. We did not stop, except at Mons, where we dined, and made arrangements for the future journey of Lavalette. I wrote several letters to facilitate the means by which he may reach his destination, and having provided every thing that appeared best for his health and comfort, I took leave of him, and returned to Paris yesterday evening by the route of Maubeuge, Soissons, and la Porte St. Martin, after an absence of sixty hours."

Rome, March 31.—A decision of his holiness, relative to the form of procedure in inquisitorial matters, forbids the application of torture to the accused. This decision has been addressed by his eminence the Cardinal Secretary of State to the ministers of Spain and Portugal.

The government continues to take severe measures to prevent the introduction of foreign books treating of political matters. We are informed that the royal family of Spain has demanded, among others, the suppression of certain false accounts, translated from the German, of the events which brought about the abdication of Charles IV.

They are here much occupied by the project against the Barbary powers. We are assured that a great power has engaged to guarantee the neutrality of Turkey. In fact, civilized Europe is interested to repress their piracies. The project will be sent to the Diet of Frankfort, and submitted to the great powers for their approbation. The exertions of Sir Sydney Smith upon this enterprize have been indefatigable, and it is to him that the whole is to be attributed.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

In New Norfolk-street, Lady K. Halkett, of a son.

The lady of Sir Alex. Don, M. P. of Newton Don, Roxburghshire, of a son.

At Penicuik Hall, Edinburgh, the lady of Sir G. Clerk, M. P. of a son.

In Lower Brook street, the lady of J. Round, Esq. M. P. of a son.

At Oriel Temple, Louth, Viscountess Massareene, of a daughter.

At Twickenham, Lady Elizabeth Cole, of a daughter.

In Stratford-place, the lady of R. Rickards. Esq. M. P. of a daughter.

At Blackheath, the lady of H. Abbott, Esq. of a daughter.

At East Bourn, Sussex, the lady of D. Giddy, Esq. M.P. of a daughter.

In Cleveland Square, the lady of S. R. Lushington, Esq. M.P. of a daughter.

MARRIAGES.

Lieut. Wm. Miller, R. A. son of Major Gen. Miller, to Henrietta, daughter of Col. Colebrook, R.A.

A. Austen, Esq. of Aderly, Gloucestershire, son of E. Austen, of Clapham, Middlesex, to Sylla, daughter of D. Ricardo, Esq. of Upper Brook-street.

At Fulham, John, son of J. Cromie, Esq. of Cromore, Londonderry, to Marianne, daughter of the Archbishop of Dublin.

Lieut. J. Prest, R. N. to Miss Lorina Palmer.

W. Houghton, Esq. of the Irish Exchequer Office, to Miss Bourne, of Elford, Stafford.

At Winchester, Sir T. Osborne, to the daughter of Major Smith.

The Rev. Temple Frere, Rector of Finningham, Suffolk, to Jane, daughter of the Hon. Baron Richards.

At the house of the British Ambassador at Brussels, the Hon. Geo. J. T. Tuchet, to Jane, daughter of Rear-admiral Donnelly.

Chas. E. Bird, Esq. Capt. in 37th regt. of foot, to Anne, daughter of the late Wm. Crooke, Esq. of Waterford.

At Grantham, the Rev. J. W. Peters, of Homersley, in the county of York, to Catherine, daughter of the late S. C. Colclough, Esq. of Beaconsfield, near Newark, Notts.

At Twickenham, John Thos. Brooks, Esq. of Flitwick, Bedfordshire, to Mary, daughter of Alex. Hatfield, Esq. of Twickenham.

J. Drummond, Esq. jun. son of J. Drummond, Esq. banker, of Charing cross, to Georgiana, daughter of Vice-admiral Sir E. Harvey.

At St. Margaret's Church, Westminster, Capt. Edw. L. Crofton, R. N. C. B. to Mary, daughter of Wm. Leader, Esq. M.P. of Putney-hill, Surrey.

At Alverstoke, Hants. Capt. Edw. Scobell, R.N. to Rebecca Ann, daughter of Rich. Collins, Esq. of Brockhurst Lodge, in the same county.

At North Mundham, Sussex, Geo. Buckton, jun. Esq. of Doctors' Commons, to Eliza, daughter of Rich. Merrick, Esq. of East Wallis, Chichester, and Runkton House, Sussex.

At Guernsey, W. C. Bowden, Esq. of the Queen's regt. to Christiana, daughter of the late Col. Wm. Anstruther.

At St. Peter's, Broad-street, the Rev. John Blackburn, B.A. of St. John's College, Cambridge, to Elizabeth Walton, daughter of the late Wm. Curteis, Esq.

In the Tower Chapel, John Collier, Esq. of Plymouth, to Emma, daughter of R. Porrett, Esq.

Thos. Gill, Esq. of King-street, Finsbury, to Miss Charles, of Calvert street.

At Battersea, the Rev. Robt. Tozer, of Taunton, Somerset, to Mary Roley, daughter of Alex. Maitland, Esq. of Clapham-common.

At St. George's, Hanover-square, the Rev. John Jones, M.A. to Louisa, daughter of Wm. Prevost, Esq. King's-road, Bedford-row.

At Witley, John Wm. Spicer, Esq. son of John Spicer, Esq. of Esher-place. Surrey, to Hanah Maria Theresa, daughter of the late Philip Smith Webb, Esq. of Milford House, in the same county.

At St. James's Church, Bath, T. Johnson, Esq. of Bristol, to Mrs. Bleamire, relict of the Rev. R. Bleamire, of Bath.

At St. Mary's, Islington, the Rev. Hy. Howard, of Sawbridgeworth, Herts. to Julia, daughter of Sir Thos. Beevor, Bart. of Mangreen Hall, Norfolk.

Lieut. Col. Jones, Royal Eng. to Catharine Maria, daughter of the late Effingham Lawrence, Esq. of Trinity-square.

At St. George's, Hanover-square, Rd. Riley, Esq. of the Admiralty, to Harriett. daughter of Sir Wm. Beechey, of Harley-street.

DEATHS.

T. Parry, sen. Esq. many years a Director of the Hon. East-India Company.

At his house in Bedford-square, Sir Simon Le Blanc, one of the Judges of the King's Bench.

C. Cooke, Esq. of Belleville-house, Walthamstow.

At Burley Hall, near Otley, Yorkshire, the Rev. J. Minithorpe.

At Woodford, Essex, Anthony Aubert, Esq.

In Great George-street, Westminster, Louisa, wife of Geo. Home Sumner, Esq. M.P.

In Howland-street, Fitzroy-square, Capt. H. Foster, of the 23d regt.

At her daughter's, the Countess of Ely's, in Grosvenor street, the widow of the late Capt. Bonfoy, R.N.

Juliana, the infant daughter of Hy. Alexander, Esq. of Cork-street.

At Twickenham, T. Terry, Esq. M.D.

In Highbury-place, Martha Sadelbia, daughter of John Nichols, Esq.

At Leghorn, J. P. Bastard, Esq. M.P. of Kitley.

Martha, daughter of Edw. Hogg, Esq. of Rodborough Cottage, near Stroud, Gloucestershire.

At Reading, the Rev. James Manesty.

At Bakewell, Derbyshire, Rev. Rd. Chapman.

At Addlestrop, Gloucestershire, Mrs. Eliz. Leigh.

Charlotte, the wife of Wm. Hudson, Esq. Park-street, Richmond, Surrey.

At the house of his son-in law, Anth. Littledale, Esq. Everton, Pudsey Dawson, Esq. Liverpool.

At Cambridge, the Rev. East Apthorp, D.D. Prebendary of Finsbury in the church of St. Paul, and formerly Fellow of Jesus College.

At Rowde, Wilts, the Rev. Wm. Higginson.

The Rev. C. Naylor, Head Master of the King's School, and one of the six preachers of the Cathedral Church of Canterbury.

In the island of Curaçoa, in the West-Indies, Mr. John Vanderlinde, merchant.

At Baronstown, county of Westmeath, Lord Sunderlin.

In the Grove, Hackney, Robt. Meares, Esq.

At Morden College, Mr. Wm. Ouchterlony, formerly of Birchin-lane.

In Coleman-street, John George Walte, Esq.

LONDON MARKETS.

April 23, 1816.

Cotton.—The arrivals of Cottons are inadequate to the increasing demand; the sales of last week are 1000 bags, viz. 300 Bahias 2*s.* 3*d.* *a* 2*s.* 4*d.*, 100 Pernams 2*s.* 6*d.*, 170 Orleans 21*d.*, 130 Boweds 20*d.* *a* 21*d.*, a few Demeraras 2*s.* 3*d.* *a* 2*s.* 4*d.*; the following were sold exclusive of duty, 120 Bengals at 14*d.* *a* 15*d.*, and 200 Surats 18*d.*; the latter reported to be an immediate contract by the importer, without having passed the usual routine of public sale at the India House.

Sugar.—The briskness that was in the Sugar market has given way; the sale at the India House yesterday consisted of nearly 4000 bags; Java soft brown and yellow 42*s.* *a* 45*s.*; dry brown and yellow 46*s.* 6*d.* *a* 47*s.* 6*d.*; strong grey 49*s.* *a* 51*s.*

Coffee. — The market is improving; in last week's sales, middling Dutch sold at 80*s.*, ordinary middling 75*s.*, good to fine ordinary 64*s.* *a* 70*s.*, good to fine ordinary Jamaica very extensively 60*s.* *a* 66*s.*, middling 73*s.* The East-India Company's sale of yesterday consisted of about 2000 bags, chiefly Java and Cheribon; fine yellow Java 68*s.* *a* 72*s.*, light and pale yellow Cheribon 64*s.* *a* 66*s.*, Bourbon 68*s.* *a* 73*s.*, the damaged Java 63*s.* *a* 66*s.*, damaged Cheribon 56*s* *a* 60*s.*

Rice.—200 barrels of old Carolina Rice, of middling quality, offered last week by public sale, was withdrawn, no offers being made above 42*s.* 6*d.*

Indigo.—In consequence of the commencement of the East-India sale, the prices of Indigo are nominal.

INDIA HOME INTELLIGENCE.

April 10. A ballot was held at the East-India House for the election of six directors, in the room of those who went out by rotation. At six o'clock the glasses were closed, and delivered to the scrutineers, who reported the numbers to be, viz.

Hon. W. F. Elphinstone.... 538
John Inglis, esq.......... 538
John Bladen Taylor, esq... 538
James Daniell, esq........ 538
John Bebb, esq............ 536
James Pattison, esq....... 536

A Court of Directors was held the same day, when the thanks of the court were voted unanimously to C. Grant, esq. and T. Reid, esq. chairman and deputy chairman, for their zeal and attention to the Company's interest during the last year.

The following is a List of the Directors of the East-India Company for the Year 1816, *with their Residences.*

The figures preceding the names denote the number of years they each have to serve.

3 Thomas Reid, esq. chairman, 8, *Broad-street-buildings.*
4 John Bebb, esq. deputy, 13, *Gloucester-place.*
3 Jacob Bosanquet, esq. *Broxbournbury, Herts.*
4 Hon. William Fullarton Elphinstone, 2, *Upper Harley-street.*
3 Joseph Cotton, esq. *Leytonstone, Essex.*
3 Edward Parry, esq. 25, *Gower-street.*
1 Richard Chicheley Plowden, esq. 8, *Devonshire-place.*
1 John Hudleston, esq. 54, *Margaret-street.*
4 John Inglis, esq. 27, *Mark-lane.*
4 James Pattison, esq. 15, *Nottingham-place.*
1 George Abercrombie Robinson, esq. M.P. 39, *Albemarle-street.*
1 John Alexander Bannerman, esq. *Stamford-hill.*
3 Richard Twining, esq. 216, *Strand.*
3 William Wigram, esq. 31, *Upper Harley-street.*
2 Samuel Davis, esq. 7, *Portland-place.*
4 James Daniell, esq. *Carshalton, Surrey.*
4 John Bladen Taylor, esq. 40, *Devonshire-place.*
2 Hon. Hugh Lindsay, *Plastow Lodge, Bromley, Kent.*
2 John Morris, esq. 21, *Baker-street, Portman-square.*
2 David Scott, esq. 22, *Baker-street, Portman-square.*
2 Alexander Allan, esq. M. P. 26, *Baker-street, Portman-square.*
1 William Stanley Clarke, esq. *Elm Bank, Leatherhead.*
2 Richard Parry, esq. 52, *Berners-street.*
1 John Thornhill, esq. 6, *Charlotte-street, Bedford-square.*

The following Gentlemen are out by rotation:

Charles Grant, esq. M.P. 40, *Russell-square.*
George Smith, esq. M.P. 1, *Upper Harley-street.*
Sweny Toone, esq. 44, *Mortimer-street.*
William Astell, esq. M.P. 31, *Bruton-street.*
Campbell Marjoribanks, esq. 3, *Upper Wimpole-street.*
Sir John Jackson, bart. M.P. 9, *New Broad-street.*

The Orontes frigate, Captain Cochrane, is at Portsmouth nearly ready for sea, having completed her stores, &c. for service at St. Helena, under the flag of Rear-Admiral Sir Pulteney Malcolm, appointed commander-in-chief there.

The spirit of insubordination so long prevailing at the India College, Hertingfordbury, it is said, will immediately undergo some sort of enquiry in parliament. The mathematical professor has resigned, and the governor finds it difficult to retain his situation.

The Indian juggler, who astonished the town a year or two back, by his dangerous feat of pressing a drawn sword down his stomach, has unfortunately fallen a sacrifice to his presumption, at an exhibition in Scotland; the sword taking a wrong direction, wounded the ventricle of the stomach, and in consequence he died almost instantaneously, in violent convulsions.

Accounts from India have been received overland, comprehending dates to the the 22d of November from Bombay; the 14th of the same month from Madras; and the 7th from Bengal. A Calcutta paper of the 31st of October announces the immediate reduction of the additional twenty men annexed to each company of the native regiments for the service of the late war. Transports were taken up to convey back to the Cape and to the Isle of France the troops carried from those settlements to replace those lost in the first severe actions with the Nepaulese. These arrangements indicate a confidence of permanent tranquillity in India. Private accounts state, that the Earl of Moira had entertained the design of extending the subsidiary system to the powers recently hostile to the British interests, or suspected of unfavourable dispositions: but that this intention had been relinquished on account of the repugnance of the parties, and their ascertained inability to defray the charges of the troops proposed to be thus placed

in garrison upon them; the Company being equally incompetent to sustain the burthen. The expenses of the late war are said to have been extremely heavy, the irregular horse alone having cost above seventy lacs of rupees.

April 27.—Yesterday, at three o'clock, his royal highness the Prince Regent held a court at Carlton House, when Anthony Buller, Esq. was presented upon his being appointed one of the judges at Bengal, and received the honour of knighthood.

Dr. John Taylor, superintendent of vaccination at the Presidency of Bombay, is about to publish a translation of the Lilievati, a Sanscrit work, on authentic and practical Geometry, held in the highest estimation in all parts of India, and which was written in the twelfth century, by Bhascora Acharya (who also wrote on Algebra and astronomy), and was translated into Persian by order of the Emperor Acbar, in the year 1587, by the celebrated Tysce. The proposed work is recommended to the patronage of the Court of Directors by the Bombay government.

The dispatches by the Wellesley arrived April 28, and brought advices from Prince of Wales Island, up to Sept. 1815, which state the disagreeable news of a serious breach of trust, and malversation of office, in the Assistant Treasurer, Mr. Cousens, to the amount of near 50,000 dollars. Our letters inform us, that that gentleman has not stood alone in this dishonourable proceeding, and that a person then absent from the settlement was supposed to be implicated, though not criminally. Mr. Cousens in default of bail was committed to the criminal Jail, and was to stand his trial, either at Prince of Wales Island or Bengal. Our time will not permit us to enter into the details of this circumstance, as well as other Asiatic news. We are happy to add, that Mr. Petrie's health was restored.

Amount of Adjudications made by the Commissioners appointed between the East-India Company and the Private Creditors of the late Nabob of the Carnatic, to the date of their last Report, the 19*th February*, 1816.

Aggregate of absolute Adjudications in favour of parties	£1,683,795
Ditto provisional do. do.	35,993
	1,719,792
Aggregate of absolute Adjudications against the parties, including the portions disallowed in claims favourably adjudicated.............	21,818,274
Total............	£23,538,066

Plymouth, 24*th April, latest arrival of ships.*—Arrived the Walmer Castle and Warley, sailed from China, 8th Dec. 1815, and St. Helena, 6th May 1816. Royal George and Hope from China, 8th Dec. St. Helena. Princess Amelia, Cuffnells, from China, St. Helena, 6th March; the two latter parted company on the 13th April.

General Kyd and Herefordshire, had arrived at Whampoa. Charles Grant, Vansittart, Ingles, Essex, Marquis Camden, and David Scot, were to sail from China 1st January 1816.

The Admiral Gambier and Duke bound to Batavia, were spoke with 28th Dec. in the Straits of Sunda. The Devaynes (Brooks) was left at St. Helena from Batavia.

Passengers from China.—Per Warley, Mr. and Mrs. Farrer. Walmer Castle, Lieut. Webber of the H. C. Marine. Princess Amelia, W. H. C. Plowden, Esq. Royal George, Colonel Webber. Cuffnells, Mrs. Tates and children; Mr. Charles Thomas, formerly purser of the Earl St. Vincent.

Died 26th Nov. 1815, Thos. Charles Pattle, Esq. second in council at the H. C. Factory, Canton.—Mr. W. C. Winn, purser of the Charles Grant, at Canton. Mr. William Ferron, Jun. purser of the Inglis, was drowned at Whampoa.

SHIP-LETTER MAILS FOR INDIA.

For Madras and Calcutta.

Ship's Names.	*Tons.*	*Probable Time of Sailing.*
H.M.S. Bacchus, Capt. Hill,		sailed from Portsmouth, Apr. 23.

PRIVATE SHIPS.

For Madras and Bengal.		
George............	450	From Deal, Apr. 20.
Frederic & Maria	400	Apr. 25.
For Bengal.		
Moira	650	From Deal, Apr. 20.
Maitland	630	do do 23.
Philippa..........	580	do do 23.
For the Isle of France and Ceylon.		
Alexander........	450	Apr. 25.
Princess Charlotte	400	May 5.
For the Isle of France.		
Eliza..............	350	
For Bombay.		
Orpheus	417	
Asia	450	From Gravesend, Apr. 18.
For the Cape of Good Hope.		
Blucher	200	do do 12.
Lusitania.........	240	April 26.
Minstrel..........	120	
For Sumatra and Bengal.		
Hercules..........	415	From Deal, April 20.

INDIA SHIPPING INTELLIGENCE.

The Maister, Wiseman sailed from Bengal 25th October had arrived at the Cape.

The Liverpool, which arrived at Bengal in 108 days, had sailed from thence for Liverpool 7th November, both are daily expected.

Mar. 23. This day the dispatches were finally closed at the East-India House, and delivered to the Pursers of the following ships, *viz.*—

Warren Hastings, Capt. T. Larkens; Asia, Capt. H. P. Tremenheere; Marchioness of Ely, Capt. B. Kay; Larkens, Capt. T. Dumbleton; and Lord Keith, Capt. P. Campbell, for Madras and Bengal.

Providence, Capt. A. T. Mason; Sovereign, Capt. I. A. Telfer; and Barkworth, Capt. T. Lynn, for St. Helena and China.

Passengers per Asia.—For Bengal—Mr. J. G. Wyatt, writer; Charles Lushington, sen. Merchant; Mrs. Lushington; Mr. G. Rumbold, free merchant; Mr. T. Thompson, Assistant Surgeon; Mrs. C. L. Casey; Messrs. J. H. Sandon and N. P. Manby, free mariners. For Madras. — —— Grant, Esq. Hon. Mrs. E. Grant, and Misses Grant.

Per Warren Hastings.—For Bengal—Mr. E. Stirling, writer; two Misses M'Rae; Mrs. A. Murphy. For Madras.—Capt. C. Brook, Lieut. E. Blackman, Mrs. M. Redding.

Per Marchioness of Ely—For Bengal.—Mr. W. Blackburn, writer; Mrs. Bowen, Lieut. T. Garron, Aide-de-Camp to General Donkin; Mr. and three Misses Watts; Messrs. J. Row and H. Cooper, Assistant Surgeons; Mr. C. T. Harrington; Mr. S. Dugdale, free mariner. For Madras.—Capt. J. Smith. For Prince of Wales Island.—Miss M. A. Baily.

Per Barkworth.—For Bengal.—Mr. J. Robinson, free mariner. For St. Helena.—Rev. B. J. Vernon, Mrs. Vernon, and Miss A. Brooke.

Per Larkins.—For Bengal.—Messrs. Hunter and Manning, writers; Mr. Cutler, free merchant; Misses Wilson, Fletcher, Butler, Ochterlony, and Templeton. For Madras.—Messrs. Nelson, Clive, and Thomas, writers; Mr. De Lisle, assistant surgeon; Mr. Hall, Mr. and Miss Daly.

Per Lord Keith.—For Bengal—Mr. Millett, writer. For Madras.—Mr. S. Nicholls, writer; Mrs. Nicholls, Mrs. Campbell.

28. This day a Court of Directors was held at the East-India-house, when the following Commanders took leave previous to departing for their respective destinations, *viz.* Capt. J. Jameson, Earl of Balcarras; Capt. W. Moffatt, Scaleby Castle; China direct. Capt. J. H. Harris, Prince Regent, Madras and Bengal.

Portsmouth, March 30.—Rear-Admiral Sir Pultney Malcolm, K.C.B. is appointed to succeed Sir George Cockburn, K.C.B. in the naval command at the Cape of Good Hope and St. Helena station, and hoisted his flag on Thursday morning at Spithead, in the Newcastle; which was this morning struck again, on account of the Admiral going on leave of absence for a few days, Lady Malcolm and child are to accompany him to St. Helena.

Rear-Admiral Sir Richard King, Bart. and K.C.B. hoisted his flag in the Magicienne, at Plymouth, on the 22d inst. as Commander in Chief for the East India station.

Among the passengers on the Sovereign for St. Helena, is Ensign Alexander Augustus Younge, youngest son of the late Colonel Younge, Commandant of the Hon. East-India Company's Madras cavalry.

The 2d battalion 59th regiment has embarked at Monkstown for the Isle of Wight, to join the 1st battalion in India.

April 25.—Arrived off Weymouth, the Hon. Company's ships Hope and Royal George, from China.

26.—Off Portsmouth, H.M.S. Wellesley, 74, from Bombay, Madras, Trincomallee, Cape and St. Helena, left St. Helena 3d March.

Off Plymouth, H.M.S. Owen Glendower, from China.

Off Dartmouth, the Diana Fugell, from Batavia.

The Europe parted company from the Surrey in lat. 45° 49′ N. long. 12° 40′ lat. on the 22d Nov.—The Lady Flora arrived at the Cape on the 20th Feb.

A letter, of which the subjoined is an extract, contains the latest shipping intelligence from India:

Calcutta Oct. 6.—The William Pitt and Lord Melville will sail for England in December.

The Metcalf is to proceed to Amboyna to take in spices, and to sail for England in the course of next month.

The Marquess of Wellington, and the Princess Charlotte of Wales, are under orders to convey the 59th regiment to Madras, to load at that Presidency, and to sail for England on the 12th December.

The Apollo and Sir William Pultney proceed to Bombay.

The Huddart, Northumberland, and Lord Eldon, are to sail for Bencoolen, to take in pepper, and to proceed to Europe.

The Minerva is going into dock to receive partial repairs.

The Melantho and Liverpool, free traders, are to sail for Europe about the close of the passing month.

Arrived here, the Endymion, from Madras; Bengal, from Liverpool, Lucy and Maria, the Susan, the Caroline, and Wellington, from England; the Carnatic Indiaman, from Ceylon; the Duke of Wellington, from Madras.

At Penang, the Herefordshire and General Kyd, from St. Helena.

Sailed from Madras, for Calcutta, the Charles Mills, Auspicious, Sir S. Lushington, and City of London.

SHIPS SAILED IN APRIL FOR INDIA.

When sailed.	*Ships' Name.*	*Captains' Name.*	*Description.*	*Destination.*
April 9th	Brilliant	Young	Merchantman	Cape
	Atlas	Short	Free Trader	Batavia
	Marquis Anglesea	Moorsoom	Do.	Madras and Bengal
	Warren	Penny	Do.	South Seas
10	Milford	Boles	Do.	Bombay
	Kirk Ella	Dipnall	Do.	Madras and Bengal
14	Mulgrave Castle	Ralph	Do.	Cape and do.
	Aberdeen	Fenwick	Do.	Madras and do.
17	Prince Regent	Harris		Do. do.
	Phœnix	Pyke	Company's	Do.
	Earl of Balcarras	Jameson	Do.	China
	Scaleby Castle	Moffat	Do.	Do.
	Surat Castle	Hope	Do.	Do.
	Hugh Inglis		Do.	Do.
	Venus	Kilgour	Merchantman	Cape
	Blucher	Kerr	Do.	Do.
20	Moira	Kemp	Do.	Cape, Mad. and Ben.
	George	Arle	Do.	Madras and Bengal
	Hercules	Bean	Do.	Sumatra and Bengal
	Woodman	Bean	Do.	Isle of France
21	Windham	Andrews	Company's	China
	March. of Exeter	Gilpus	Do.	Do.
	Eliza	Walker	Merchantman	South Seas
	Newcastle	Maynell	Frigate	St. Helena
	Sir Wm. Pultney	Malcolm	Commander at	Do.
	Orontes	Cochrane	Do.	Do.
23	Philippa	Nicholls	Country	Bengal
	Maitland	Kensey	Do.	Do.
Portsmouth	Bacchus	Hill	Frigate	India
Plymouth	Tay.		South Wallen	Do.

TIMES appointed for the EAST-INDIA COMPANY'S SHIPS of the SEASON 1815-16.

When sailed.	Voy.	Ships.	Tons.	Managing Owners.	Commanders.	First Officers.	Second Officers.	Surgeons.	Pursers.	Consignments.	To be afloat.	To sail to Gravesend	To be in Downs.
1815. 15 Nov.	6	*Surrey*	819	Rich. Borradaile	Samuel Beadle	William Shirley	John Cornish	George Waddell	George Barton	*Madras & Batavia*	1815. 14 *Sept.*	1815. 20 *Sept.*	1815. 16 *Oct.*
	6	*Europe*	820	William Mellish	John Mills	Robt. John Barton	Charles Clinch	David Gale Arnot	James H. Gaymer				
1816. 23 Jan.	3	*Marquis of Huntly*	1200	Tho. G. Murray	Donald Mac Leod	John S. H. Fraser	John Thacker	Alex. McFarlane	Robert Hogg	*Bombay & China*	1 *Nov.*	16 *Nov.*	23 *Dec.*
	2	*Castle Huntly*	1200	Tho. G. Murray	John Paterson	William Reynolds	Thomas Dunkin	David Irving	Thomas Baker				
26 do	2	*Lady Melville*	1200	Sir Robt. Wigram	John C. Lochner	Thomas Tapley	J. R. F. Doveton	Dav. Cannan, jun.	James Goddard				
26 Feb.	7	*Marquis of Ely*	1262	Sir Robt. Wigram	James Dalrymple	Charles More	W.H.C. Dalrymple	Wm. Griffiths	John Stewart				
23 Jan.	3	*Cabalva*	1200	John Card	John Hine	David Blair	Wm. Atkins Bowen	Wm. Miller	John Hotson				
26 do	7	*Cumberland*	1260	Wm Borradaile	T. H. Wilkinson	Joseph B. Anstice	William Kennal	Thomas Godwin	Edward Winslow				
9 Feb.	1	*General Hewitt*	894	(*Company's Ship*)	Walter Campbell	John B. Sotheby	Thos. W. Barrow	Duncan McKenzie	John D. Smith	*China*	3 *Dec.*	—	1816. 15 *Jan.*
23 Jan.	1	*Cornwall*	798	George Palmer	J. R. J. Toussaint	Sam. Remmington	Alexander W. Law	James Johnson	Henry Barber	*St. Helena & China*	18 *Nov.*	30 *Nov.*	6 *Jan.*
26 Feb.	1	*Regent*	916	James Haig	Philip Ripley	Wm. Thomson	Charles Sewell	David Davies	George Webb	*Madras & China*	16 *Dec.*	30 *Dec.*	5 *Feb.*
	7	*Wexford*	1271	Sir Robt. Wigram	Charles Barnard	Alex. Ramsay	Richard Clifford	James Lamb	Richard Rawes				
9 Mar.	1	*Fort William*	1137	William Fairlie	John Innes	George Bunyon	James S. Biles	John Aitkin	Thomas Allardice				
26 Feb.	7	*Elphinstone*	1274	Rich. Borradaile	Thomas Haviside	John Higgins	Wm. Mundy	Wm. McDonald	Fred. Richardson				
8 Mar.	7	*Lady Castlereagh*	821	William Hamilton	George Simpson	James Barber	F.A. Cunynghame	Thomas Robson	Craswell Jobling	*St. Helena & China*	30 *Do.*	1816. 14 *Jan.*	19 *Do.*
	2	*Cambridge*	759	Palmer and Co.	John Freeman	Wm. Morgan	Thomas B. Rust	David Anderson	David H. Renny				
27 do.	4	*Warren Hastings*	1000	John P. Larkins	Thomas Larkins	James P. Hackman	John H. Buttivant	Ebenezer Oliver	James Wm. Pears	*Madras & Bengal*	1816. 15 *Jan.*	28 *Do.*	4 *Mar.*
	3	*Asia*	958	Henry Bonham	H. P. Tremenheere	John T. E. Flint	Thomas Davey	James M. Hodges	Thos. Stephenson				
	3	*Marchioness of Ely*	952	Sir Robt. Wigram	Brook Kay	Alex. Jas. Moore	George Tennent	John M. Bennett	Wm. Millett				
17 Apr.	1	*Earl of Balcarras*	1417	(*Company's Ship*)	James Jameson	Peter Cameron	David R. Newall	Henry Arnot	William Bruce	*China*			
	5	*Surat Castle*	1149	John Innes	William Hope	James Walker	Henry P. Auber	James W. Osborn	Peter Christie				
	5	*Scaleby Castle*	1242	William Moffatt	William Moffatt	Alexander Morgan	Josiah Thomas	Andrew Paterson	James Nisbet				
21 do.	6	*Windham*	823	Thomas Price	Joseph Andrews	Alexander Lindsay	Wm. Henry Ladd	Wm. Jardine	Harry James				
	7	*March. of Exeter*	820	Richard Pain	Thomas Gilpin	Wm. Longcroft	John F. Ambrose	Samuel Newson	John W. Graham				
17 do.	7	*Hugh Inglis*	821	Henry Bonham	J. Fairfax	Theophilus Lutey	Wm. Eastgate	J. W. Lyon	David Leighton		13 *Feb.*	27 *Feb.*	4 *April*
	5	*Phœnix*	818	Robert Williams	John Pyke	Thomas White	Telemac. Mussou	Thomas Ranken	John Cumming	*Madras & Bengal*			
	3	*Prince Regent*	953	Henry Bonham	T. H. Harris	James Mahon	T. F. Balderston	George Lambe	John Reid				
	4	*Astell*	820	George Gooch	Francis Cresswell	Wm. Evans	George Waugh	W. L. Cummings	W. L. Grave	*Ceylon & Bengal*	13 *Mar.*	28 *Mar.*	3 *May*
					Masters.								
23 Jan.	1	*Lord Lyndoch*	589	James Goldie	James Crichton	John Templeton	Fred. Geo. Moore	Stephen Anderson	Alexander Sim	*St. Helena & China*	1815. 26 *Nov.*	1815. 5 *Dec.*	1816. 6 *Jan.*
8 Mar.	3	*Coldstream*	693	John Dawson	James Coxwell	Wm. Shepheard	Jos. A. Senhouse	Thos. Clemishaw	John L. Wardell	*St. Helena & China*	30 *Dec.*	1816. 14 *Jan.*	19 *Feb.*
25 do.	1	*Providence*	631	Almon Hill	Andrew T. Mason	George Stephens	Wm. W. Haynes	Samuel Garth	Robert Miles	*St. Helena & China*	1816. 15 *Jan.*	28 *Do.*	4 *Mar.*
	7	*Sovereign*	617	John Locke	John Alex. Telfer	Wm. H. Biden	Robert Foulerton	Alexander Condy	James Gardner				
	1	*Barkworth*	505	John Barkworth	Thomas Lynn	George Noton	Wm. R. Parkers	John Wilkinson	John Moor				
30 do.	3	*Larkins*	637	John P. Larkins	Thos. Dumbleton	Henry Wilkinson	George H. Trill	Richard A. Taylor	John Greaves	*Madras & Bengal*	29 *Do.*	7 *Feb.*	13 *Do.*
	7	*Lord Keith*	599	Robert Morris	Peter Campbell	Joseph L. Cope	Walter Young	Archibald Ewart	Edward Crowfoot				
	1	*Lady Campbell*	681	John Innes	Thomas Marquis	John Jones	William Reid	— Scott	Eustace Wigzell	*Bengal*			
	1	*Mangles*	560	John Wm. Buckle	Benjamin Bunn	James Graham	R. F. Lardner	Whitmore Smart	Henry Osborne				
	3	*Batavia*	555	John Wm. Buckle	John Mayne	Rich. B. Shears	Geo. H. S. Gilbert	James Plumbe	Henry Heynes				
	7	*Ann*	508	Shakspear Reed	James Masson	Thomas Flamank	—	John Sparks	—	*Madei & Bombay*	13 *Mar.*	23 *Mar.*	28 *April*
	7	*Alexander*	600	Robert Mangles	Henry Cobb	Henry Prosser	Tho. S. Seacole	Evan Rowlands	Wm. Turner				
	2	*Lady Carrington*	564	John Campbell	Dugald McDougall	George Phillips	Wm. J. Compton	—	—	*Madeira & Bengal*			

	L.	s.	d.		L.	s.	d.
Cochineal ....lb.	0	5	0	to	0	5	6
Coffee, Java.. ....cwt.	3	8	0	—	3	15	0
—— Cheribon	3	0	0	—	3	10	0
—— Bourbon	3	10	0	—	4	0	0
—— Mocha	5	0	0	—	5	5	0
Cotton, Surat............lb.	0	1	6	—	0	1	8
—— Extra fine..............	0	1	7	—	0	1	9
—— Bengal	0	1	3	—	0	1	4
—— Bourbon	0	2	6	—	0	3	0
Drugs, &c. for Dyeing.							
Aloes, Epatica.......cwt.	6	0	0	—	8	0	0
Anniseeds, Star..........	5	10	0	—	6	0	0
Borax, Refined....	5	10	0	—	6	15	0
—— Unrefined, or Tincal	5	10	0	—	6	0	0
Camphire unrefined.....	12	10	0	—	16	0	0
Cardemoms, Malabar..lb	0	4	0	—	0	6	6
—— Ceylon..............							
Cassia Buds.........cwt.	23	10	0	—	24	0	0
—— Lignea..............	13	0	0	—	18	0	0
Castor Oil..............lb.	0	1	3	—	0	4	0
China Root..........cwt.	2	0	0	—	2	5	0
Coculus Indicus..........	3	1	0	—	3	10	0
Columbo Root............	2	15	0	—	3	0	0
Dragon's Blood...........							
Gum Ammoniac, lump..							
—— Arabic..............	3	10	0	—	5	0	0
—— Assafœtida..........	6	0	0	—	15	0	0
—— Benjamin	6	10	0	—	50	0	0
—— Animi............cwt.	5	10	0	—	10	0	0
—— Galbanum..........							
—— Gambogium	22	0	0	—	24	0	0
—— Myrrh..............	9	0	0	—	11	0	0
—— Olibanum............	5	0	0	—	6	10	0
Lac Lake..................	0	1	3	—	0	1	9
—— Dye..................	0	3	6	—	0	5	6
—— Shell, Block.........	3	0	0	—	3	10	0
—— Shivered							
—— Stick.................	3	10	0	—	8	0	0
Musk, China..........oz.	0	14	0	—	1	1	0
Nux Vomica.........cwt.	2	0	0	—	2	10	0
Oil Cassia..............oz.	0	2	6	—	0	3	0
—— Cinnamon	1	0	0	—	1	1	0
—— Cloves.......							
—— Mace................							
—— Nutmegs	0	3	6				
Opium.................. ...lb.							
Rhubarb	0	6	6	—	0	12	0

	L.	s.	d.		L.	s.	d.
Sal Ammoniac ......cwt.	5	15	0				
Senna.....................lb.	0	1	6	to	0	2	6
Turmerick, Bengal..cwt.	1	15	0	—	1	18	0
—— China	2	10	0	—	2	15	0
Zedoary							
Galls, in Sorts.............	9	0	0	—	9	10	0
—— Blue..................	10	0	0	—	11	0	0
Indigo, Blue ....lb.							
—— Blue and Violet......							
—— Purple and Violet....							
—— Fine Violet...........							
—— Good Ditto........ ...	Sale commenced at						
—— Fine Violet & Copper	the India House.						
—— Good Ditto............							
—— Fine Copper..........							
—— Good Ditto..							
—— Ordinary Ditto							
Rice, Like Carolina...cwt.	0	17	0	—	1	2	0
Safflower................cwt.	4	15	0	—	9	0	0
Sago ....cwt.	2	0	0	—	3	0	0
Saltpetre, Refined.....cwt.	3	10	0				
Silk, Bengal Skein ....lb.	0	15	1	—	0	18	10
—— Novi	1	0	1	—	1	9	0
—— Ditto White							
—— China	1	3	1	—	1	5	9
—— Organzine............	1	15	0	—	1	19	1
Spices, Cinnamon.......lb.	0	10	0	—	0	11	0
—— Cloves	0	3	7	—	0	4	0
—— Mace..................	0	9	0	—	0	10	6
—— Nutmegs..............	0	6	1				
—— Ginger ....cwt.	6	0	0				
—— Pepper, Black .... lb.	0	0	9				
—— — White..............	0	1	3				
Sugar, Yellow .... cwt.	2	6	0	—	2	10	0
—— White	2	12	0	—	3	2	0
—— Brown	2	2	0	—	2	5	0
Tea, Bohea...............lb.	0	2	0	—	0	2	2
—— Congou	0	2	6	—	0	3	5
—— Souchong.............	0	4	0	—	0	4	6
—— Campoi	0	2	11	—	0	4	0
—— Twankay	0	3	0	—	0	3	2
—— Pekoe.................	0	4	10	—	0	5	4
—— Hyson Skin	0	2	11	—	0	5	6
—— Hyson	0	4	9	—	0	5	5
—— Gunpowder	0	5	6	—	0	5	10
Tortoiseshell................	1	2	0	—	1	5	0
Woods, Saunders Red..ton	10	0	0	—	11	0	0

Goods declared for Sale at the East-India House.

On Wednesday, 1 May—Prompt 2 August.

Privilege.—Choppahs, 44 chests—Sannoes, 25 bales—Callicoes, 25 bales—Baftaes, 30 bales—Nankeens, 600 pieces and 186 chests—Madras Handkerchiefs, 3 trunks—Shawls, 2 boxes—Lustrings and Satins, 3 boxes.

Private-Trade.—Nankeens, 2,660 pieces—Black Sarsenets, 100 pieces—Nankeen Cloth, 50 pieces.

Prohibited Goods.—Gurrahs, 35 bales—Callicoes, 322 bales—Choppahs, 1 chest—Sannoes, 66 bales—Crapes, 48 pieces—Silk Handkerchiefs, 100 pieces—Sundries, 45 bales.

On Thursday, 9 May—Prompt 6 September.

Company's.—Cotton Wool, 1 bale.

Privilege.—Cotton Wool, 1,899 bales—Cotton Yarn, 77 bales.

On Friday, 10 May—Prompt 16 August.

Company's.—Pepper Black, 590 bags—White, 28 bags.

Privilege.—Sapan Wood, 11 tons, 249 cwt. and 98 bundles—Castor Oil, 76 chests—Ditto and Turmeric, 33 boxes—Cornelians, 2 boxes—Myrabolanes, 38 bags—Tincal, 384 bags and 21 chests—Chillies, 456 bags and 40 bales—Galls, 184 bags—Cochineal, 44 chests—Cajaputa Oil, 27 bottles and 4 boxes—China Root, 39 bags—Sena, 114 bales and 3 bags—Camphire planks, 260—Beetle Nuts, 1 bag—Camphire, 440 chests and 9 tubs—Ebony, 334 pieces—Lac Lake, 8 chests and 15 boxes—Malacca Canes, 6,176—Rattans, 27,321 bundles—Pepper, 9,137 bags—Saltpetre, 50 tons—Ginger, 2,340 bags—Nux Vomica, 422 bags—Tutenague, 1,084 slabs—Goat Skins, 1,115—Hides, 1,301—Cassia Lignea, 2,380 chests—Lac Dye, 113 chests—Aloes, 24 casks—Anniseeds, 81 chests—Olibanum, 12 chests—Myrrh, 10 chests—Cardemoms, 77 chests and 284 bags—Sago, 400 bags—Benjamin, 122 bags and 76 chests—Safflower, 70 bales—Cinnamon, 33 bales—Gum Arabic, 31 chests—Rhubarb, 39 chests—Red Saunders, 332 cwt. 1,279 bundles, and 2,812 pieces—Tamariuds, 90 casks—Tortoiseshell, 18 boxes—Borax, 32 chests—Shellack, 1,305 chests—Galanga, 1,190 bags—Bark, 6 bags—Cassia Fistula, 2 bags—Elephants' Teeth, 80—Cloves, 125 chests—Alcali, 6 casks—Soap, 129 chests—Catcha, or Terra Japonica, 25 chests—Kayabuco Wood, 8 pieces—Soy, 12 casks—Gum Animi, 20 chests—Red Wood, 1,484 pieces and 736 cwt.—Star Anniseeds, 50 boxes—Sal Ammoniac, 27 boxes—Soda, 1,106 bags—Sandal Wood, 3 logs—Black Wood, 50 pieces.

Private-Trade.—Gum Arabic, 5 chests—Tin, 1,833 pieces—Mother-o'-Pearl Shells, 586 cwt.—Cochineal, 14 chests—Rattans, 4,255.

On Wednesday, 15 May—Prompt 23 August.

Company's.—Brown Nankeens, 198,622 pieces.

On Tuesday, 21 May—Prompt 23 August.

Privilege.—Sugar, 3,098 bags—Coffee, 367 bales and 131 bags.

On Wednesday, 29 May—Prompt 6 September.

Company's.—Sundry Carpets, also Damaged Bengal, Coast and Surat Piece Goods and Packing Cotton.

On Tuesday, 4 June—Prompt 30 August.

Tea Bohea, 350,000 lbs.—Congou, Campoi, and Souchong, 4,500,000—Twankay, 750,000—Hyson Skin, 150,000—Hyson, 250,000—Total, including Private-Trade, 6,000,000 lbs.—The Congou refused by the buyers at the last sale will be put up again at this sale, at 2*s.* 7*d.* per lb.

Daily Prices of Stocks from the 26th of March to the 25th of April 1816.

1816.	Bank Stock.	3 p. Cent. Reduced.	3 p. Cent. Consols.	4 p. Cent. Cons. 1780.	Navy 5 p. Cent.	Long Annuities.	Irish 5 p. Cent.	Imperial 3 p. Cent.	Ditto Annuities.	Omnium for Money.	India Stock.	South Sea Stock.	Old So. Sea Annuities.	New Ditto.	5 per Cent India Bonds.	3½ per Dy. Exchequer Bills.	Consols for Account.	Lottery Tickets. £ s. d.	1816.
Mar. 26	—	—	60⅝ 60½	—	89⅛ 89⅜	—	—	—	—	15½	—	—	—	—	par 1p	5.1d	61⅛ 60¾	24 7 0	Mar. 26
27	—	—	61⅛ 60⅞	—	89⅝ 89¾	—	—	—	—	16¼	—	—	—	—	par 1p	1.5d	61⅛ 61¼	—	27
28	—	—	61¼ 61⅛	—	90⅛	—	—	—	—	16¾	—	—	—	—	par 1p	4.1d	61½ 61⅝	—	28
29	—	—	60⅞ 61⅛	—	90⅛ 89⅞	—	—	—	—	16½ 16⅛	—	—	—	—	1p.1d	2.5d	61 61⅜	—	29
30	—	—	60⅞ 60⅝	—	89⅞ 89¾	—	—	—	—	—	—	—	—	—	par	4d.1p	60¾ 61	—	30
Apr. 1	—	—	60¾ 60⅝	—	89¾ 90	—	—	—	—	—	—	—	—	—	—	5.6d	61 60⅞	—	Apr. 1
2	—	—	60⅞ 60⅝	—	90 89¾	—	—	—	—	16 15⅝	—	—	—	—	1.3d	5.2d	61¼ 61	—	2
3	—	—	60⅝ 60¾	—	89¾ 90	—	—	—	—	15¾	—	—	—	—	2.3d	4.1d	61 60⅞	24 7 0	3
4	—	—	60⅝ 60⅞	—	89⅞ 90¼	—	—	—	—	15¾	—	—	—	—	2d.1p	2dpar	60⅞ 61⅛	—	4
5	—	—	61¼ 61⅜	—	90¼ 90⅜	—	—	—	—	—	—	—	—	—	2.3p	1d 3p	61¼ 61⅜	—	5
6	242½	59¾ 60	61⅛ 61⅜	74¼ 74⅝	90⅜ 90¼	15⅛ 15 3/16	88¼	—	—	—	—	—	—	—	4p	1.4p	61¼	—	6
8	—	59¾ 59⅝	61⅛ 61¼	74⅜ 74⅛	90⅛ 90⅜	15⅛ 15 3/16	—	—	—	16⅝	—	—	—	—	4 5p	1.4p	61¼ 61⅛	24 7 0	8
9	242½	59¾ 59⅜	60⅞ 61⅛	74 74¼	89⅞ 90¼	15 3/16 15 1/16	—	—	—	16⅛	—	—	—	—	3.4p	3p.1d	62 61¾	—	9
10	242	59⅜ 59¾	60⅞ 61	74⅜	89⅞ 90⅜	15 1/16 15 3/16	—	—	—	16⅛ 16½	—	—	—	—	3p	par3p	61¾ 62	—	10
11	—	59½ 59⅞	60¾ 61⅛	74¼ 74⅜	90⅛ 90⅜	15⅛ 15 3/16	—	—	—	16¼ 16⅝	—	—	—	—	par3d	3p.1d	61¾ 62⅛	—	11
13	—	60 59¾	61¼	74⅜ 74½	90½ 90⅛	15 3/16 15¼	—	—	—	16¾ 17	—	—	—	—	2d.par	2d.3p	61⅞ 62⅛	—	13
17	—	59⅝ 59¾	60⅞ 61⅛	74¼ 74⅜	90⅛ 90⅜	15 3/16 15¼	—	—	—	16½	—	—	—	—	2d.par	1d 3p	61⅞ 62	24 7 0	17
18	245	59⅝ 59⅞	60⅞ 61	74½ 74¼	90⅛ 90⅜	15 3/16 15¼	—	—	—	16½	—	—	—	—	par2p	par2p	61¾ 61⅞	—	18
19	—	59¾ 59⅞	61 61⅛	74½ 74	90 90¾	15 3/16	—	60⅜	—	16¾	—	—	—	—	2.3p	par5p	61¾ 61⅞	—	19
20	—	59⅞ 60	61⅛ 61¼	74¾ 74⅞	90⅝ 91	15 3/16 15 5/16	88½	—	—	—	—	—	—	—	2.4p	1.5p	61⅞ 61¾	—	20
22	—	60⅛	61¼ 61⅜	75¼	91⅛ 91½	15¼ 15 5/16	—	—	—	—	180½	—	—	—	2.4p	1.5p	61⅞ 61¾	—	22
23	258	60¼ 60½	61⅝ 61⅞	75⅝ 76	92 91⅝	15 5/16 15 7/16	—	—	—	17¾	—	—	—	—	4.6p	3.6p	62¼ 62½	—	23
24	256 254	60¾ 60⅞	62⅛ 61⅞	75⅝ 75⅞	91⅞ 92⅛	15⅜ 15½	—	—	—	18⅜ 18½	—	—	—	—	5.6p	4.6p	62½ 62⅝	24 7 0	24

E. Eyton, *Stock Broker, 2, Cornhill, and 18, Coventry Street.*